

# HOUSE OF REPRESENTATIVES—Monday, August 1, 1994

The House met at 10:30 a.m. and was called to order by the Speaker pro tempore [Mr. MONTGOMERY].

## DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
August 1, 1994.

I hereby designate the Honorable G.V. (SONNY) MONTGOMERY to act as Speaker pro tempore on this day.

THOMAS S. FOLEY,  
*Speaker of the House of Representatives.*

## MORNING BUSINESS

The SPEAKER pro tempore. Pursuant to the order of the House of February 11, 1994, and June 10, 1994, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates.

The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member except the majority and minority leader limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from New Mexico [Mr. RICHARDSON] for 5 minutes.

## PASS THE CRIME BILL

Mr. RICHARDSON. Mr. Speaker, this week, we are ready to pass a crime bill that is the largest commitment to stopping crime that Congress has ever considered.

I understand that not everyone is happy with a few provisions in the crime bill. I, for example, have problems with the assault weapons ban which is a part of the bill.

However, I am willing to put aside my few objections and stand here in support of a crime bill our constituents claim is the single most important issue affecting their lives.

We must look at the entire bill and recognize the provisions such as more law enforcement, more prisons, and more crime prevention programs, which will effectively stop crime.

All of us in Congress, no matter what party we represent, must put aside all of our disagreements. We must stand here together in support of legislation which sends the message to criminals that we will no longer turn our heads to their actions.

I commend the chairman of the Committee on the Judiciary, the gentleman from Texas [Mr. BROOKS], and the minority for bringing us a good bill.

Mr. Speaker, all across the Nation, each and every American has been telling us to make their schools, neighborhoods, and homes safe again.

At various town meetings in my district in New Mexico, my constituents continue to ask when Congress will pass the crime bill. I hope that within a few days, I will be able to tell them that the crime bill has passed and will soon become law.

The point is, Mr. Speaker, that all Members must stop analyzing and searching for every small portion of the legislation which they do not completely agree with.

It is time for all Members to accomplish passing legislation so that we can tell everyone back home that action is being taken.

We all know that this crime bill is filled with strong, effective provisions that every American has been asking for. Furthermore, out of the \$33 billion that will address a variety of anti-crime strategies, \$30.2 billion will be financed through the saving coming from the elimination of 270,000 Federal jobs. So let's not wait any longer. Let's pass this crime bill now and get the job done.

President Clinton has called upon Congress to vote for a crime package that is strong, smart and tough. A package that will punish offenders, yet will also promote measures to prevent crime. This crime bill does just that—it punishes criminals and offers good prevention measures.

This crime bill sends the message to repeat offenders that enough is enough. It tells them that if you do violence to others, you will be punished. The "three strikes you're out" provision will send criminals with three serious offenses to prison for life.

Those who commit certain Federal offenses will also be subject to the death penalty making this crime bill tough on criminals.

Smart crime prevention measures are also included in this crime bill. Literally billions of dollars will be directed to youth crime prevention including measures to keep kids occupied and off the streets. This crime bill also allows grants to develop more effective programs to reduce juvenile gang participation and juvenile drug trafficking. It also supports drug treatment programs within State and local correctional facilities.

Prevention measures in the bill focus on kids by, for example, creating youth recreation programs which will give young people an opportunity to exercise athletics in the hopes that this will build teamwork incentives and get them off the streets.

Furthermore, with 100,000 new cops on the beat, criminals will want to think twice before harming anyone. And let us make sure that we not forget rural areas in community policing. This measure should not just benefit big cities like Los Angeles and New York, but small communities as well.

Everyone, from the mayor to the high school student, must realize that stopping crime is a joint effort, and the battle against crime will not be won unless everyone participates. For this reason, our crime bill helps local governments and local police find new ways to best protect those who live in their communities. The best solutions to crime are local, and this bill emphasizes local solutions.

Again, I stand here to ask every Member of Congress to have the courage to put our differences aside, and unite in a joint effort to pass legislation which will effectively and substantially stop crime.

## RECESS

The SPEAKER pro tempore (Mr. HASTINGS). There being no further requests for morning business, pursuant to clause 12, rule I, the Chair declares the House in recess until 12 noon.

Accordingly (at 10 o'clock and 39 minutes a.m.) the House stood in recess until 12 noon.

□ 1200

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. MONTGOMERY) at 12 noon.

## PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

Remind us, O God, to reflect on the blessings we have been given and what we so often take for granted. We know it is our nature to focus on the comforts of life and yet on this day we pause and give thanks for the basics—for food and drink, for clothing and shelter, for family and friends. We know too that many people do not have

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

this food or family or shelter and do not share in the fundamental needs of the human spirit or body. We are thankful, O God, that in the present need individuals and groups and nations are sharing the burden and easing the pain and suffering so that dire needs will be met and new life and hope will be nourished. Amen.

### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The gentleman from Arizona [Mr. STUMP] will come forward and lead the House in the Pledge of Allegiance.

Mr. STUMP led the Pledge of Allegiance as follows:

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed a resolution of the following title, in which the concurrence of the House is requested:

S. RES. 246

*Resolved*, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Hugh Scott, formerly a Senator from the State of Pennsylvania.

*Resolved*, That the Secretary communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

*Resolved*, That when the Senate recesses today, it recess as a further mark of respect to the memory of the deceased Senator.

The message also announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 275. Concurrent resolution waiving the requirement in section 132 of the Legislative Reorganization Act of 1946 that the Congress adjourn sine die not later than July 31 of each year.

### CONFERENCE REPORT ON H.R. 4426, FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 1995

Mr. YATES submitted the following conference report and statement on the bill (H.R. 4426) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1995.

#### CONFERENCE REPORT (H. REPT. 103-633)

The Committee of Conference on the disagreeing votes of the two Houses on the

amendments of the Senate to the bill (H.R. 4426) "making appropriations for the Foreign Operations, Export Financing, and Related Programs for the fiscal year ending September 30, 1995," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 13, 14, 15, 16, 17, 23, 29, 30, 34, 46, 47, 51, 53, 71, 84, 110, 111, 113, 114, 115, 116, 117, 125, 135, 136, 137, 141, 144, 145, 146, 147, 148, 150, 151, 152, 153, 154, 155, 156, 157, 159, 160, 162, and 164.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 4, 5, 6, 7, 10, 20, 21, 22, 26, 27, 28, 31, 32, 35, 37, 38, 39, 56, 57, 59, 61, 62, 64, 66, 67, 68, 70, 72, 73, 74, 75, 76, 77, 78, 79, 80, 83, 85, 87, 88, 89, 90, 92, 93, 95, 96, 97, 98, 99, 100, 101, 103, 104, 105, 106, 107, 108, 112, 119, 120, 122, 123, 124, 126, 127, 128, 130, 131, 132, 133, an agree to the same.

Amendment numbered 2:

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: \$90,000,000; and the Senate agree to the same.

Amendment numbered 8:

That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: \$374,000,000; and the Senate agree to the same.

Amendment numbered 9:

That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: \$50,000,000; and the Senate agree to the same.

Amendment numbered 11:

That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: \$853,000,000; and the Senate agree to the same.

Amendment numbered 12:

That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert: *Provided, That of the funds appropriated under this title under the heading "Agency for International Development", (1) not less than \$280,000,000 should be made available for activities which have as their objective the reduction of childhood mortality, including such activities as immunization programs, oral rehydration programs, and education programs which address improved nutrition, and water and sanitation programs, (2) not less than \$135,000,000 should be made available for basic education programs; and (3) not less than \$25,000,000 should be made available for micronutrient programs; and the Senate agree to the same.*

Amendment numbered 18:

That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert: *Provided further, That for purposes of this or any other Act authoriz-*

*ing or appropriating funds for foreign operations, export financing, and related programs, the term "motivate," as it relates to family planning assistance, shall not be construed to prohibit the provision, consistent with local law, of information or counseling about all pregnancy options including abortion; and the Senate agree to the same.*

Amendment numbered 19:

That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert: *Provided further, That of the funds appropriated under this heading, not less than the amount equal to the amount made available for the Office of Population of the Agency for International Development in fiscal year 1994 shall be made available to that office: Provided further, That the Administrator of the Agency for International Development may decrease that amount only if he consults with and provides a written justification to the Committees on Appropriations: Provided further, That such justification shall be considered in accordance with the regular notification procedures of the Committee on Appropriations; and the Senate agree to the same.*

Amendment numbered 24:

That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment, amended to read as follows: *Provided, That of this amount not more than \$1,475,000 may be made available to pay for printing costs: Provided further, That none of the funds appropriated by this Act for programs administered by the Agency for International Development may be used to finance printing costs of any report or study (except feasibility, design, or evaluation reports or studies) in excess of \$25,000 without the approval of the Administrator of that Agency or the Administrator's designee; and the Senate agree to the same.*

Amendment numbered 25:

That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: \$2,349,000,000; and the Senate agree to the same.

Amendment numbered 33:

That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: \$850,000,000; and the Senate agree to the same.

Amendment numbered 36:

That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment, as follows:

Delete the matter stricken and delete the matter proposed; and the Senate agreed to the same.

Amendment numbered 40:

That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with amendment, as follows:

In lieu of the matter proposed by said amendment, insert:

*(i) Of the funds appropriated under this heading, no less than \$15,000,000 should be available only for a family planning program for the new independent states of the former Soviet Union*



comparable to the family planning program currently administered by the Agency for International Development in the Central Asian Republics and focusing on population assistance which provides an alternative to abortion.

And the Senate agree to the same.

Amendment numbered 41:

That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert:

(k) Of the funds appropriated under this heading, not less than \$150,000,000 should be made available for programs for Ukraine: Provided, That of these funds not less than \$25,000,000 should be made available for land privatization activities and development of small and medium size businesses, including agriculture enterprises.

And the Senate agree to the same.

Amendment numbered 42:

That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert:

(l) Of the funds made available by this or any other Act, not less than \$75,000,000 should be made available for programs and activities for Armenia.

And the Senate agreed to the same.

Amendment numbered 43:

That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert:

(m) Of the funds made available by this or any other Act, not less than \$50,000,000 should be made available for programs and activities for Georgia.

And the Senate agreed to the same.

Amendment numbered 44:

That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert:

(n) The President should establish a Trans-Caucasus Enterprise Fund.

And the Senate agree to the same.

Amendment numbered 45:

That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert:

(o) The report required by subsection (d) under the heading "Assistance for the New Independent States of the Former Soviet Union", contained in Public Law 102-391, shall be updated at least annually and shall also contain a listing of all grants and contracts issued from funds appropriated annually for the new independent states of the former Soviet Union, to include for each grant and contract (1) a description of its purpose, (2) its amount, and (3) the country where the grant or contract funds are to be expended.

And the Senate agree to the same.

Amendment numbered 48:

That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert:

(p) Not less than \$50,000,000 of the funds appropriated under this heading should be made

available for programs and activities which match United States private sector resources with Federal funds.

And the Senate agree to the same.

Amendment numbered 49:

That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert:

(q) Within sixty days of enactment of this Act, the Administrator of the Agency for International Development shall report to the Committees on Appropriations on steps being taken to include individuals and organizations with language or regional expertise in the provision of assistance to the new independent states of the former Soviet Union.

And the Senate agree to the same.

Amendment numbered 50:

That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert:

(r) Of the funds appropriated under this heading and under the heading "Assistance for Eastern Europe and the Baltic States", not to exceed \$30,000,000 shall be made available for police training and exchanges, and investigative and technical assistance activities related to international criminal activities.

And the Senate agree to the same.

Amendment numbered 52:

That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert:

(s) Of the funds appropriated under this heading, not less than 50 percent should be made available for country specific activities within bilateral, regional, or multilateral programs, except as provided through the regular notification procedures of the Committees on Appropriations.

And the Senate agree to the same.

Amendment numbered 54:

That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: \$105,000,000; and the Senate agree to the same.

Amendment numbered 55:

That the House recede from its disagreement to the amendment of the Senate numbered 55, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert: Provided, That during fiscal year 1995, the Department of State may also use the authority of section 608 of the Foreign Assistance Act of 1961, without regard to its restrictions, to receive non-lethal excess property from an agency of the United States Government for the purpose of providing it to a foreign country under chapter 8 of part I of that Act subject to the regular notification procedures of the Committees on Appropriations; and the Senate agree to the same.

Amendment numbered 58:

That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment, amended as follows:

In lieu of "\$12,000,000" named in said amendment, insert: \$6,000,000; and the Senate agree to the same.

Amendment numbered 60:

That the House recede from its disagreement to the amendment of the Senate numbered 60, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment and retain the matter inserted by said amendment; and the Senate agree to the same.

Amendment numbered 63:

That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert: Provided further, That none of the funds appropriated under this heading or under the heading "Military-to-Military Contact Program" may be made available for Thailand or Algeria except through the regular notification procedures of the Committees on Appropriations: Provided further, That the Secretary of State shall submit, by February 1, 1995, a report to the Committees on Appropriations on the Thai military's support for the Khmer Rouge and the Thai Government's efforts to impede support for Burmese democracy advocates, exiles, and refugees; and the Senate agree to the same.

Amendment numbered 65:

That the House recede from its disagreement to the amendment of the Senate numbered 65, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert: Provided, That funds appropriated under this heading may be made available only for activities in the area of responsibility of the United States Pacific Command and; and on page 23, line 18 of the House engrossed bill, H.R. 4426, strike "be made available only".

And the Senate agree to the same.

Amendment numbered 69:

That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert: Provided further, That 10 percent of the principal amount of direct loans for Turkey shall be withheld until the Secretary of State, in consultation with the Secretary of Defense, has submitted to the Committees on Appropriations a report addressing, among other things, the allegations of abuses against civilians by the Turkish armed forces and the situation in Cyprus, and a separate notification has been submitted at least 15 days prior to the obligation of such funds; Provided further, That 10 percent of the principal amount of direct loans for Greece shall be withheld until the Secretary of State has submitted to the Committees on Appropriations a report on the allegations of Greek violations of the United Nations sanctions against Serbia and of the United Nations Charter, and a separate notification has been submitted at least 15 days prior to the obligation of such funds; and the Senate agree to the same.

Amendment numbered 81:

That the House recede from its disagreement to the amendment of the Senate numbered 81, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

#### NONCREDIT ACCOUNT

The Overseas Private Investment Corporation is authorized to make, without regard to fiscal year limitations, as provided by 31 U.S.C. 9104, such expenditures and commitments within the limits of funds available to it and in accordance with law as may be necessary: Provided, That

the amount available for administrative expenses to carry out the credit and insurance programs (including an amount for official reception and representation expenses which shall not exceed \$35,000) shall not exceed \$24,322,000: Provided further, That project-specific transaction costs, including direct and indirect costs incurred in claims settlements, and other direct costs associated with services provided to specific investors or potential investors pursuant to section 234 of the Foreign Assistance Act of 1961, shall not be considered administrative expenses for the purposes of this heading.

#### PROGRAM ACCOUNT

For the cost of direct and guaranteed loans, \$33,944,000, as authorized by section 234 of the Foreign Assistance Act of 1961, to be derived by transfer from the Overseas Private Investment Corporation Noncredit Account: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That such sums shall be available for direct loan obligations and loan guaranty commitments incurred or made during fiscal years 1995 and 1996: Provided further, That such sums shall remain available through fiscal year 2003 for the disbursement of direct and guaranteed loans obligated in fiscal year 1995, and through fiscal year 2004 for the disbursement of direct and guaranteed loans obligated in fiscal year 1996. In addition, such sums as may be necessary for administrative expenses to carry out the credit program may be derived from amounts available for administrative expenses to carry out the credit and insurance programs in the Overseas Private Investment Corporation Noncredit Account and merged with said account.

And on page 31, line 2, of the House engrossed bill, H.R. 4426, delete "PROGRAM ACCOUNT"; and the Senate agree to the same.

Amendment numbered 82:

That the House recede from its disagreement to the amendment of the Senate numbered 82, and agree to the same with an amendment, as follows:

Restore the matter stricken, amended to read as follows: North Korea; and the Senate agree to the same.

Amendment numbered 86:

That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert: or personnel level, with regard to individuals detailed or assigned to the Agency for International Development prior to October 1, 1994, established pursuant to any provision of law or regulation; and the Senate agree to the same.

Amendment numbered 91:

That the House recede from its disagreement to the amendment of the Senate numbered 91, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert:

(b) Section 13 of the Department of State Appropriations Authorization Act of 1973 is repealed.

(c) The Secretary of the Treasury may, to fulfill commitments of the United States, (1) subscribe to and make payment for shares of the Inter-American Development Bank, make contributions to the Fund for Special Operations of that Bank, and vote for resolutions (including amendments to that Bank's constitutive agreement), all in connection with the eighth general, increased in resources of that Bank; and (2) contribute to the Restructured Global Environment Facility under its Instrument, to the African Development Fund in connection with the seventh general replenishment of its resources,

and to the Interest Subsidy Account of the successor to the Enhanced Structural Adjustment Facility of the International Monetary Fund. The amount authorized to be appropriated for payment for paid-in shares of the Inter-American Development Bank is limited to \$76,832,001, the amount authorized to be appropriated for payment for callable shares of the Inter-American Development Bank is limited to \$4,511,156,729, and the amount authorized to be appropriated for payment of the contribution to the Interest Subsidy Account of the successor to the Enhanced Structural Adjustment Facility of the International Monetary Fund is limited to \$25,000,000. The amount to be paid in respect of each such contribution or subscription is authorized to be appropriated without fiscal year limitation. Each such subscription or contribution shall be effective only to such extent or in such amounts as are provided in advance in appropriations Acts.

(d) Title XV of the International Financial Institutions Act (22 U.S.C. 262a) is amended by adding at the end the following:

#### "SEC. 1502. MILITARY SPENDING BY RECIPIENT COUNTRIES; MILITARY INVOLVEMENT IN THE ECONOMIES OF RECIPIENT COUNTRIES.

"(a) CONSIDERATION OF COMMITMENT TO ACHIEVING CERTAIN GOALS.—

"(1) IN GENERAL.—The Secretary of the Treasury shall instruct the United States Executive Directors of the international financial institutions (as defined in section 1701(c)(2)) to promote growth in the international economy by taking into account, when considering whether to support or oppose loan proposals at these institutions, the extent to which the recipient government has demonstrated a commitment to achieving the following goals:

"(A) to provide accurate and complete data on the annual expenditures and receipts of the armed forces;

"(B) to establish good and publicly accountable governance, including an end to excessive military involvement in the economy; and

"(C) to make substantial reductions in excessive military spending and forces.

"(b) STEPS TO ACHIEVE GOALS REQUIRED.—The Secretary of the Treasury shall instruct the United States Executive Directors of the international financial institutions (as to defined) to promote a policy at each institution under which—

"(1) the respective institution monitors closely and, through regular policy consultations with recipient governments, seeks to influence the composition of public expenditure in favor of funding growth and development priorities and away from unproductive expenditures, including excessive military expenditures;

"(2) the respective institution supports lending operations which assist efforts of recipient governments to promote good governance, including public participation, and reduce military expenditures; and

"(3) the allocation of resources and the extension of credit by the respective institution takes into account the performance of recipient governments in the areas of good governance, ending excessive military involvement in the economy and reducing excessive military expenditures."

(e) Title XVI of the International Financial Institutions Act (22 U.S.C. 262p et seq.) is amended by redesignating section 1620 as section 1622 and by inserting after section 1619 the following:

#### "SEC. 1620. RESPECT FOR INDIGENOUS PEOPLES

"The Secretary of the Treasury shall direct the United States Executive Directors of the international financial institutions (as defined in section 1701(c)(2)) and the United States representative to the council of the Global Environ-

ment Facility administered by the International Bank for Reconstruction and Development to use the voice and vote of the United States to bring about the creation and full implementation of policies designed to promote respect for and full protection of the territorial rights, traditional economies, cultural integrity, traditional knowledge and human rights of indigenous peoples.

#### "SEC. 1621. ENCOURAGEMENT OF FAIR LABOR PRACTICES.

"(a) The Secretary of the Treasury shall direct the United States Executive Directors of the international financial institutions (as defined in section 1701(c)(2)) to use the voice and vote of the United States to urge the respective institution

"(1) to adopt policies to encourage borrowing countries to guarantee internationally recognized worker rights (within the meaning of section 502(a)(4) of the Trade Act of 1974) and to include the status of such rights as an integral part of the institution's policy dialogue with each borrowing country;

"(2) in developing the policies referred to in paragraph (1), to use the relevant conventions of the International Labor Organization, which have set forth, among other things, the right of association, the right to organize and bargain collectively, a prohibition on the use of any form of forced or compulsory labor, and certain minimum labor standards that take into account differences in development levels among nations including a minimum age for the employment of children, acceptable conditions of work with respect to minimum wages, hours of work, and occupational safety and health; and

"(3) to establish formal procedures to screen projects and programs funded by the institution for any negative impact in a borrowing country on the rights referred to in paragraph (1).

"(b) The Secretary of the Treasury shall submit to the Committee on Banking, Finance and Urban Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate by the end of each fiscal year a report on the extent to which each borrowing country guarantees internationally recognized worker rights to its labor force and on progress toward achieving each of the goals described in subsection (a)."

(f) The Inter-American Development Bank Act (22 U.S.C. 283 et seq.) is amended by adding at the end the following:

#### "SEC. 38. FOCUS ON LOW-INCOME AREAS OF LATIN AMERICA AND THE CARIBBEAN.

"The Secretary of the Treasury shall direct the United States Executive Director of the Bank to use the voice and vote of the United States to support an increased focus on the poorest countries in Latin America and the Caribbean, and on poorer areas of better off countries, and to support programs conducted by the Multilateral Investment Fund, particularly in targeting low-income countries and populations, working with nongovernmental organizations and training and assisting former combatants from civil conflicts in Latin America."

And on page 49, line 24, of the House engrossed bill, H.R. 4426, after "Sec. 526." insert: (a); and the Senate agree to the same.

Amendment numbered 94:

That the House recede from its disagreement to the amendment of the Senate numbered 94, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert: , Serbia, or Montenegro; and the Senate agree to the same.

Amendment numbered 102:

That the House recede from its disagreement to the amendment of the Senate numbered 102, and agree to the same with an amendment, as follows:



Restore the matter stricken, amended to read as follows: *country or*; and the Senate agree to the same.

**Amendment numbered 109:**

That the House recede from its disagreement to the amendment of the Senate numbered 109, and agree to the same with an amendment, as follows:

Retain the matter proposed by said amendment, amended to read as follows:

At the end of the matter proposed, insert the following:

(c) *The authority of section 516 of the Foreign Assistance Act of 1961, as amended may be used in fiscal year 1995 to provide defense articles to Jordan, except that the provision of such defense articles shall be subject to section 538 of this Act.*

And the Senate agree to the same.

**Amendment numbered 118:**

That the House recede from its disagreement to the amendment of the Senate numbered 118, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

**SEC. 561. (a) AUTHORITY TO REDUCE DEBT.**—The President may reduce amounts owed to the United States (or any agency of the United States) by an eligible country as a result of—

(1) guarantees issued under sections 221 and 222 of the Foreign Assistance Act of 1961; or

(2) credits extended or guarantees issued under the Arms Export Control Act.

(b) **LIMITATIONS.**—(1) The authority provided by subsection (a) may be exercised only to implement multilateral official debt relief and referendum agreements, commonly referred to as "Paris Club Agreed Minutes".

(2) The authority provided by subsection (a) may be exercised only in such amounts or to such extent as is provided in advance by appropriations Acts.

(3) The authority provided by subsection (a) may be exercised only with respect to countries with heavy debt burdens that are eligible to borrow from the International Development Association, but not from the International Bank for Reconstruction and Development, commonly referred to as "IDA-only" countries.

(c) **CONDITIONS.**—The authority provided by subsection (a) may be exercised only with respect to a country whose government—

(1) does not have an excessive level of military expenditures;

(2) has not repeatedly provided support for acts of international terrorism;

(3) is not failing to cooperate on international narcotics control matters;

(4) (including its military or other security forces) does not engage in a consistent pattern of gross violations of internationally recognized human rights; and

(5) is not ineligible for assistance because of the application of section 527 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995.

(d) **AVAILABILITY OF FUNDS.**—The authority provided by subsection (a) may be used only with regard to funds appropriated by this Act under the heading "Debt Restructuring".

(e) **CERTAIN PROHIBITIONS INAPPLICABLE.**—A reduction of debt pursuant to subsection (a) shall not be considered assistance for purposes of any provision of law limiting assistance to a country. The authority provided by subsection (a) may be exercised notwithstanding section 620(r) of the Foreign Assistance Act of 1961.

And the Senate agree to the same.

**Amendment numbered 121:**

That the House recede from its disagreement to the amendment of the Senate numbered 121, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

**IMPLEMENTATION OF WORLD BANK RECOMMENDATIONS**

**SEC. 567. (a)** Funds appropriated by title I of this Act under the headings "Contribution to the International Bank for Reconstruction and Development" and "Contribution to the International Development Association" shall be available for payment to such institutions as follows:

(1) Fifty percent of the funds appropriated under each such heading shall be made available prior to April 1, 1995. Fifty percent of the funds appropriated under each such heading shall be made available on April 1, 1995, or thereafter, only if the Secretary of the Treasury makes the determinations (and so reports to the Committees on Appropriations) described in paragraph (2) of this subsection at any time on or after that date.

(2) The determinations referred to in paragraph (1) are determinations that the International Bank for Reconstruction and Development is—

(A) implementing the recommendations contained in "Next Steps", the follow-up to the Wapenhans Report;

(B) implementing the action plan contained in chapter 8 of its April 8, 1994, resettlement review entitled "Resettlement and Development"; and

(C) implementing the Bank's procedures on Disclosure of Operational Information issued in September 1993.

(b) Funds appropriated by title I of this Act under the heading "Contribution to the International Finance Corporation" shall be available for payment to such institution as follows:

(1) Fifty percent of the funds appropriated under such heading shall be made available prior to April 1, 1995. Fifty percent of the funds appropriated under such heading shall be made available on or after April 1, 1995, only if the Secretary of the Treasury makes the determination (and so reports to the Committees on Appropriations) described in paragraph (2) of this subsection.

(2) The determination referred to in paragraph (1) is a determination that the International Finance Corporation is pursuing reforms comparable to those adopted by the International Bank for Reconstruction and Development regarding the environment, information disclosure, and resettlement.

And the Senate agree to the same.

**Amendment numbered 129:**

That the House recede from its disagreement to the amendment of the Senate numbered 129, and agree to the same with an amendment, as follows:

Retain the matter proposed by said amendment, amended as follows:

In lieu of "the current fiscal year" named in said amendment, insert: *fiscal year 1995*; and the Senate agree to the same.

**Amendment numbered 134:**

That the House recede from its disagreement to the amendment to the Senate numbered 134, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert:

**DONATION OF SURPLUS AGRICULTURAL COMMODITIES TO POLAND**

**SEC. 578. (a) EXTENSION OF AUTHORIZATION.**—Section 2223(a) of the American Aid to Poland Act of 1988 (7 U.S.C. 1431 note) is amended by—

(1) inserting "if the Secretary of Agriculture determines for each fiscal year that (1) a donation under this section would not limit the Secretary's ability to meet urgent humanitarian needs for agricultural commodities, and (2) such donation would not cause a reduction in the price of the same of similar agricultural com-

modities produced in Poland" after "Notwithstanding any other provision of law,"; and

(2) striking "1988 through 1992" and inserting in lieu thereof "1995 through 1991".

(b) **DEFINITION OF ELIGIBLE COMMODITIES.**—Section 2223(b)(1) of that Act is amended by inserting "soybeans, and soybean products" after "feed grains".

(c) **ELIGIBLE ACTIVITIES.**—Section 416(b)(7)(D)(ii) of the Agricultural Act of 1949 (7 U.S.C. 1431(b)(7)(D)(ii)) is amended in the third sentence—

(1) by striking "and" at the end of subclause (II);

(2) by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following new subclause:

"(IV) the Polish Catholic Episcopate's Rural Water Supply Foundation.".

(d) **EFFECTIVE DATE.**—The amendments made by this section shall take effect October 1, 1994.

And the Senate agree to the same.

**Amendment numbered 138:**

That the House recede from its disagreement to the amendment to the Senate numbered 138, and agree to the same with an amendment, as follows:

Retain the matter proposed by said amendment, amended as follows:

In lieu of "SEC. 582." named in said amendment, insert: *SEC. 579.*

And the Senate agree to the same.

**Amendment numbered 139:**

That the House recede from its disagreement to the amendment to the Senate numbered 139, and agree to the same with an amendment, as follows:

Retain the matter proposed by said amendment, amended as follows:

In lieu of "SEC. 583." named in said amendment, insert: *SEC. 580.*; and the Senate agree to the same.

**Amendment numbered 140:**

That the House recede from its disagreement to the amendment to the Senate numbered 140, and agree to the same with an amendment, as follows:

Retain the matter proposed by said amendment, amended as follows:

In lieu of "SEC. 584." named in said amendment, insert: *SEC. 581.*; and the Senate agree to the same.

**Amendment numbered 142:**

That the House recede from its disagreement to the amendment of the Senate numbered 142, and agree to the same with an amendment, as follows:

Retain the matter proposed by said amendment, amended as follows:

In lieu of "SEC. 586." named in said amendment, insert: *SEC. 582.*

And in lieu of "shall" named in said amendment, insert: *should*; and the Senate agree to the same.

**Amendment numbered 143:**

That the House recede from its disagreement to the amendment of the Senate numbered 143, and agree to the same with an amendment, as follows:

Retain the matter proposed by said amendment, amended as follows:

In lieu of "SEC. 587." named in said amendment, insert: *SEC. 583.*

And in lieu of "shall" named in said amendment, insert: *should*; and the Senate agree to the same.

**Amendment numbered 149:**

That the House recede from its disagreement to the amendment of the Senate numbered 149, and agree to the same with an amendment, as follows:

Retain the matter proposed by said amendment, amended as follows:

In lieu of "SEC. 593." named in said amendment, insert: SEC. 584.

And in lieu of "shall" named in said amendment, insert: *should*; and the Senate agree to the same.

Amendment numbered 158:

That the House recede from its disagreement to the amendment of the Senate numbered 158, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert:

**REPORT ON THE SALARIES AND BENEFITS OF THE IMF AND THE WORLD**

SEC. 585. The Comptroller General shall submit a report to the Committees on Appropriations on the following—

(1) a review of the existing salaries and benefits of employees of the International Monetary Fund and the International Bank for Reconstruction and Development; and

(2) a review of all benefits paid to dependents of Fund and Bank employees.

Such report shall include a comparison of the salaries and benefits paid to employees and dependents of the Fund and the Bank with salaries and benefits paid to employees holding comparable positions in the public and private sectors in member countries and in the international sector.

And the Senate agree to the same.

Amendment numbered 161:

That the House recede from its disagreement to the amendment of the Senate numbered 161, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert:

**BALTIC TROOP WITHDRAWAL**

SEC. 586. (a) **PROHIBITION.**—None of the funds appropriated or otherwise made available by this Act (other than funds to carry out humanitarian assistance) may be available in any fiscal year for Russia unless the President has certified to the Congress not more than six months in advance of the obligation or expenditure of such funds that the Government of Russia and the Governments of Latvia and Estonia have established a timetable for the withdrawal of the armed forces of Russia and the Commonwealth of Independent States, and all parties are complying with such timetable.

(b) Subsection (a) does not apply if the President determines that the provision of funds to the Government of Russia is in the national security interest of the United States.

And on page 88 of the House engrossed bill, H.R. 4420, Strike all beginning on line 7 down to and including line 18 on page 89; and the Senate agree to the same.

Amendment numbered 163:

That the House recede from its disagreement to the amendment of the Senate numbered 163, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert:

**RESTRICTIONS CONCERNING THE PALESTINIAN AUTHORITY**

SEC. 587. (a) None of the funds appropriated by this Act may be obligated or expended to create in any part of Jerusalem a new office of any department or agency of the United States Government for the purpose of conducting official United States Government business with the Palestinian Authority over Gaza and Jericho or any successor Palestinian governing entity provided for in the Israel-PLO Declaration of Principles: Provided, That this subsection shall not apply to the acquisition of additional space for the existing Consulate General in Jerusalem.

(a) Meetings between officers and employees of the United States and officials of the Palestinian Authority, or any successor Palestinian

governing entity provided for in the Israel-PLO Declaration of Principles, for the purpose of conducting official United States Government business with such authority should continue to take place in locations other than Jerusalem. As has been true in the past, officers and employees of the United States Government may continue to meet in Jerusalem on other subjects with Palestinians (including those who now occupy positions in the Palestinian Authority), have social contacts, and have incidental discussions.

And the Senate agree to the same.

Amendment numbered 165:

That the House recede from its disagreement to the amendment of the Senate numbered 165, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert:

**REPORT ON BIOLOGICAL AND CHEMICAL WEAPONS**

SEC. 588. The President shall report to the Committees on Appropriations, not later than January 30, 1995, on whether or not Russia has demonstrated a commitment to comply with the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and, upon Russian ratification and entry into force, the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, and the Wyoming "Memorandum of Understanding Regarding a Bilateral Verification Experiment and Data Exchange Related to Prohibition of Chemical Weapons".

And the Senate agree to the same.

Amendment numbered 166:

That the House recede from its disagreement to the amendment of the Senate numbered 166, and agree to the same with an amendment, as follows:

Delete the matter proposed by said amendment, and on page 91, line 17, of the House engrossed bill, H.R. 4426, in lieu of "This Act", insert: *Titles I through V*, and on page 91, after line 19, insert the following:

**TITLE VI—FISCAL YEAR 1994  
SUPPLEMENTAL APPROPRIATIONS**

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 1994, and for other purposes, namely:

**FUNDS APPROPRIATED TO THE PRESIDENT**

**DEBT RELIEF FOR JORDAN**

(a) **AUTHORITY TO REDUCE DEBT.**—(1) **AUTHORITY.**—For fiscal year 1994 and thereafter, the President is authorized to reduce or cancel amounts owed to the United States or any agency of the United States by the Hashemite Kingdom of Jordan as a result of loans originally made or credits originally extended by the United States or any agency of the United States before January 1, 1994.

(2) **APPROPRIATIONS REQUIREMENT.**—The authority provided by this section may be exercised only in such amounts or to such extent as is provided in advance by appropriations Acts.

(3) **CERTAIN PROHIBITIONS INAPPLICABLE.**—The authority of this section may be exercised notwithstanding section 620(r) of the Foreign Assistance Act of 1961, as amended, section 321 of the International Development and Food Assistance Act of 1975, or similar provisions of law. In addition, a reduction of debt pursuant to this section shall not be considered assistance for purposes of any provision of law limiting assistance to a country.

(b) **APPROPRIATIONS.**—(1) **APPROPRIATIONS.**—For the cost of modifying direct loans, as defined in section 502 of the Congressional Budget Act of 1974, for Jordan, in accordance with the authority contained in this section, \$99,000,000 is appropriated, to remain available until September 30, 1994.

(2) **FISCAL YEAR 1994.**—For fiscal year 1994—  
(A) funds appropriated under this section may be used only for the cost of modifying direct loans entered into under programs administered by the Agency for International Development; and

(B) such funds may be used to reduce or cancel not to exceed \$220,000,000 of the amounts owed pursuant to such loans.

**AGENCY FOR INTERNATIONAL DEVELOPMENT**

**International Disaster Assistance**

For an additional amount of "International Disaster Assistance", \$20,000,000, to remain available until expended, for international disaster relief, rehabilitation, and reconstruction assistance pursuant to section 491 of the Foreign Assistance Act of 1961, as amended: Provided, That funds appropriated under this heading may be made available notwithstanding section 10 of Public Law 91-672: Provided further, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

**DEPARTMENT OF STATE**

**United States Emergency Refugee and Migration Assistance Fund**

For an additional amount for "United States Emergency Refugee and Migration Assistance Fund", \$30,000,000: Provided, That such funds may be made available to respond to the current Rwandan refugee crisis if the President determines that it is in the national interest to do so: Provided further, That the entire amount is designated by Congress as an emergency requirement to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

This title may be cited as the "Foreign Operations, Export Financing, and Related Programs Supplemental Appropriations Act, 1994".

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill and agree to the same with an amendment, as follows:

In lieu of the title proposed by the Senate, insert:

"An Act making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1995, and making supplemental appropriations for such programs for the fiscal year ending September 30, 1994, and for other purposes."

And the Senate agree to the same.

DAVID R. OBEY,  
SIDNEY R. YATES,  
CHARLES WILSON,  
JOHN W. OLVER,  
NANCY PELOSI,  
ESTEBAN TORRES,  
NITA M. LOWEY,  
JOSE E. SERRANO,  
MARTIN O. SABO,  
BOB LIVINGSTON,  
JOHN PORTER,  
JIM LIGHTFOOT

(except for Jordan  
debt forgiveness),

SONNY CALLAHAN  
(except for Jordan  
debt forgiveness),

JOSEPH M. MCDADE,  
Managers on the Part of the House.

PATRICK J. LEAHY,  
DANIEL K. INOUE,  
DENNIS DECONCINI,  
FRANK R. LAUTENBERG,  
TOM HARKIN,  
BARBARA A. MIKULSKI,  
DIANNE FEINSTEIN,  
ROBERT C. BYRD,

Managers on the Part of the Senate.



# JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4426) making appropriations for Foreign Operations, Export Financing, and Related Programs for the fiscal year ending September 30, 1995, submit the following joint statement to the House and Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

## MULTILATERAL ECONOMIC ASSISTANCE

### FUNDS APPROPRIATED TO THE PRESIDENT INTERNATIONAL FINANCIAL INSTITUTIONS CONTRIBUTION TO THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

Amendment No. 1: Inserts Senate language conditioning obligation of funds to purchase paid-in capital stock of the World Bank upon certification from Secretary of the Treasury that the Bank has not approved any loans to Iran since October 1, 1994.

### LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

Amendment No. 2: Appropriates \$90,000,000 for the Global Environment Facility (GEF) of the World Bank instead of \$88,800,000 as proposed by the House and \$98,800,000 as proposed by the Senate.

### CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

Amendment No. 3: Appropriates \$1,235,000,000 for the International Development Association as proposed by the House instead of \$1,207,750,000 as proposed by the Senate.

### CONTRIBUTION TO THE INTER-AMERICAN DEVELOPMENT BANK

Amendment No. 4: Deletes House language requiring that a portion of the funding for the Inter-American Development Bank and its Fund for Special Operations be provided subject to the regular notification procedures of the Committees on Appropriations.

### CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

Amendment No. 5: Deletes House language requiring that a portion of the funding for the African Development Fund be provided subject to the regular notification procedures of the Committees on Appropriations.

The conferees are concerned about substantial management problems reported at the African Development Bank. Because of continuing negotiations aimed both at resolving many of these problems and at reaching agreement on replenishment levels, and because of the forceful pro-reform negotiating position of the Department of the Treasury, the conferees have deleted the proposed notification requirement. The conferees agree that if a rigorous reform agenda is not adopted at the Bank, funding alternatives for encouraging long term development in sub-Saharan Africa should be considered.

### CONTRIBUTION TO THE EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT

Amendment No. 6: Inserts Senate language limiting the purchase of stock in the European Bank for Reconstruction and Development during fiscal year 1995 to not more than \$7,002,000. The House had proposed to limit the stock purchase to 600 shares.

### CONTRIBUTION TO THE ENHANCED STRUCTURAL ADJUSTMENT FACILITY OF THE INTERNATIONAL MONETARY FUND

Amendment No. 7: Appropriates \$25,000,000 for the Enhanced Structural Adjustment Fa-

cility (ESAF) of the International Monetary Fund as proposed by the Senate. The House proposed no funding for the ESAF.

## INTERNATIONAL ORGANIZATIONS AND PROGRAMS

Amendment No. 8: Appropriates \$374,000,000 for International Organizations and Programs, instead of \$366,000,000 as proposed by the House and \$382,000,000 as proposed by the Senate.

### WORLD FOOD PROGRAM

The conferees urge AID to provide \$3,000,000 for the World Food Program in fiscal year 1995. This is the same amount as was provided in fiscal year 1994. The conferees recognize that the World Food Program plays an essential role in providing food and other aid to the neediest people in the world. The World Food Program faces unprecedented demands for food aid and emergency humanitarian assistance in conflict zones, particularly in the former Yugoslavia and sub-Saharan Africa.

Amendment No. 9: Limits the funds available to the United Nations Population Fund (UNFPA) to not more than \$50,000,000, instead of \$40,000,000 as proposed by the House and \$60,000,000 as proposed by the Senate.

Amendment No. 10: Deletes House language allowing UNFPA to receive up to an additional \$20,000,000 if it decided not to initiate a new program in China after its current program ends in 1995.

The conferees recommend up to \$50,000,000 for a United States contribution to the United Nations Population Fund (UNFPA). This amount is \$10,000,000 below the President's request, and reflects the conferees' concerns about persistent reports of coercive abortion and involuntary sterilization in China. The conferees note the UNFPA neither condones nor supports coercive practices, nor does it fund abortion. However, UNFPA plans to spend approximately \$7,000,000 to support voluntary family planning programs in China, and the reduction in the United States contribution is intended to ensure that United States taxpayers are not in any way subsidizing China's program.

The conferees urge the Administration to strongly encourage UNFPA to withdraw from China.

## TITLE III—BILATERAL ECONOMIC ASSISTANCE

### FUNDS APPROPRIATED TO THE PRESIDENT AGENCY FOR INTERNATIONAL DEVELOPMENT DEVELOPMENT ASSISTANCE FUND

Amendment No. 11: Appropriates \$853,000,000 for the Development Assistance Fund instead of \$811,000,000 as proposed by the House and \$882,000,000 as proposed by the Senate.

The conferees agree that the increased funding for the Development Assistance Fund has been made available to assure that there is sufficient funding available for high priority programs addressed by the House and the Senate.

### AIDS PROGRAM IN THAILAND

The conferees believe that the increased problem of HIV/AIDS in Thailand will require a strong commitment from the United States. The conferees expect the Agency for International Development to provide an HIV/AIDS prevention and control program in Thailand through its regional office.

### AQUACULTURE

In previous years, the conferees have been critical of the Agency for International Development's efforts to reduce or eliminate aquaculture and fisheries activities from its foreign assistance program. Last year, the

Congress received a report describing the decline in AID's investment in aquaculture and fisheries. The need for an expanded and creative effort to support aquaculture and fisheries development has become acute. The conferees are aware of a concept paper describing the need for, and impacts of, a comprehensive global Aquaculture Development Initiative. The conferees urge AID to give serious consideration to the implementation of this concept paper and to report to the Appropriations Committees on its plans for aquaculture and fisheries development no later than February 15, 1995.

### CHILDREN IN THE PHILIPPINES

The conferees urge AID to provide \$2,000,000 to expand and improve humanitarian relief activities in the Philippines providing for disadvantaged children parented by United States military and related personnel.

Thousands of children parented by United States military and related personnel were left behind after the withdrawal of forces from the Philippines in 1992. Ostracized by the community in the Philippines, the Amerasian children face a dismal future.

Currently religious groups and international organizations are working to provide for the needs of Amerasian children in the Philippines. Because of increasing demands for food and medicine, the needs of the children have far outrun the existing capabilities of these providers. Cases of dysentery and malnutrition are increasing and many children run the risk of being lured into prostitution and drug rings.

The conferees believe this urgent situation in the Philippines requires international assistance in which goal-specific funds are provided to a broad-based coalition of on-site international, government, religious, and private humanitarian groups.

The conferees encourage AID to develop a comprehensive plan to provide for the children and report back to the Committees on Appropriations on the prospects of developing a broad-based coalition in the Philippines to implement goal-specific support services and to provide direct funding to this coalition with the consent of official providers in the region.

### COLLABORATIVE RESEARCH SUPPORT PROGRAMS

The conferees urge that best efforts be made to fund each of the Collaborative Research Support Programs at the level provided in fiscal year 1993, including restoration of funding for the small ruminant, soil management and peanut CRSPs.

### NATIONAL FISH AND WILDLIFE FOUNDATION

The conferees urge that \$750,000 in fiscal year 1995 funds be provided for the National Fish and Wildlife Foundation's neotropical migratory bird conservation initiative. This program is essential to the protection of bird species whose habitat is severely threatened in Central America and the Caribbean. The conferees urge AID to continue to work closely with other Federal agencies and parties to the interagency memorandum of understanding to approve projects funded by this initiative.

### TRANSITION TO DEMOCRACY PROGRAMS

Independent trade unions have played an important role in the advocacy of democracy and economic reform worldwide. As fledgling democracies in Africa, Asia, Latin America, Eastern Europe and the former Soviet Union continue to emerge and develop, the conferees believe that independent trade unions can help ease the transition to democracy. The conferees urge that AID continue to support the involvement of United States labor

unions in the establishment of free trade unions in countries in transition to democracy and to a free market economy.

#### VITAMIN C

The conferees believe that more accurate information is needed regarding the fortification of food that is shipped overseas through the Public Law 480 Food for Peace Program. The conferees therefore request the Administrator of the Agency for International Development to report to the Committees on Appropriations by February 15, 1995 with an estimate of the cost of fortifying grains shipped under the Public Law 480 program to 100 mg per 100 gram ration and an assessment of whether or not the fortification of grain is stable through the shipping process.

#### WOMEN IN DEVELOPMENT

The conferees urge that the Office of Women in Development at AID be funded at \$13,000,000, which should include \$2,000,000 from funds appropriated for Eastern Europe and the NIS. The conferees further recommend that the past practice of setting aside a portion of the WID Office appropriation for matching funds be discontinued. The conferees are concerned that the AID WID Office has remained without a director for over a year and a half; that programs in the NIS and Eastern Europe have given little consideration to women who suffer disproportionately as these nations make the transition to a market economy; and that the GAO recently determined that despite 20 years of congressional mandates to better integrate women into the development process, AID and the State Department have not made significant progress in this regard.

Amendment No. 12: Inserts language indicating that the Agency for International Development should provide not less than: \$280,000,000 for child survival activities, \$135,000,000 for basic education programs and \$25,000,000 for micronutrient programs. The Senate had earmarked not less than: \$285,000,000 for child survival, \$135,000,000 for basic education programs and \$25,000,000 for micronutrient programs. The House had recommended in report language that not less than: \$275,000,000 be provided for child survival, \$135,000,000 for basic education and \$25,000,000 for micronutrient programs.

#### CHILD SURVIVAL, BASIC EDUCATION AND MICRONUTRIENT PROGRAMS

The conferees stress their support for the Agency for International Development taking the necessary steps to assure that child survival programs, basic education and micronutrient programs are funded at the levels recommended.

Amendment No. 13: Deletes an earmark proposed by the Senate which would have provided \$600,000 to support parliamentary training and democracy programs in China on a competitive selection basis.

Amendment No. 14: Deletes language proposed by the Senate earmarking \$1,000,000 for displaced Burmese.

#### DISPLACED BURMESE

The conferees agree that an earmark for the displaced Burmese program, which includes cross border activities, is unnecessary due to assurances from the Agency for International Development that it plans to implement the \$1,000,000 fiscal year 1993 program to assist displaced Burmese and to augment those funds with fiscal year 1995 funds. The conferees also agree that this program has been unnecessarily delayed and they fully expect AID to fulfill its pledge to continue funding this important humanitarian pro-

gram for displaced Burmese, both in Thailand and across the Burma-Thailand border.

Amendment No. 15: Deletes Senate language earmarking not less than \$600,000 to support parliamentary training and democracy programs in China on a grant basis to the International Republican Institute and the National Democratic Institute.

Amendment No. 16: Deletes language proposed by the Senate earmarking \$15,100,000 for the Central American and East Central European Scholarship Program.

#### COOPERATIVE ASSOCIATION OF STATES FOR SCHOLARSHIPS AND THE EAST CENTRAL EUROPEAN SCHOLARSHIP PROGRAM

The conferees agree that the Agency for International Development should make every effort to fund the Cooperative Association of States for Scholarships and the East Central European Scholarship Program as proposed by the Senate. While the conferees have not recommended legislative earmarking of these programs, the conferees note that language supporting full funding of these programs is contained in both House and Senate reports accompanying this legislation.

The conferees further note that both the House and Senate reports for the current fiscal year appropriations act likewise support such funding, but the Agency for International Development chose nonetheless to reduce support for the CASS program. Inasmuch as increased funding above the total requested for Development Assistance is provided in fiscal year 1995, the conferees expect AID to fully fund this program in fiscal year 1995.

Amendment No. 17: Deletes Senate language prohibiting funds in the bill from being used to support parliamentary training and democracy programs in China.

#### POPULATION, DEVELOPMENT ASSISTANCE

Amendment No. 18: Inserts language which clarifies that the term "motivate", as it relates to family planning assistance, is not to be construed to prohibit the provision, consistent with local law, of information or counselling about all pregnancy options, including abortion. The conference agreement deletes additional language proposed by the Senate relating to referral.

Amendment No. 19: Inserts language requiring that funding for the Office of Population of the Agency for International Development (or the successor to that office) is required to be at the fiscal year 1994 level unless AID consults with and provides a written justification to the Committees on Appropriations. Any such justification is to be considered in accordance with the regular notification procedures of the Committees on Appropriations. The Senate had earmarked funds for the Office of Population at the level of last year. The House had no similar provision.

#### DEVELOPMENT FUND FOR AFRICA

Amendment No. 20: Appropriates \$802,000,000 for the Development Fund for Africa as proposed by the Senate instead of \$790,000,000 as proposed by the House.

The conferees have provided the higher level of funding for the Development Fund in Africa in recognition of the increased needs in sub-Saharan Africa. The increased funding will help address the urgent needs in the Horn of Africa area, and Rwanda, and disaster prevention programs now underway by the Agency for International Development. Assistance to programs in the Horn of Africa now may help prevent disastrous situations related to drought and famine in the future. The conferees support efforts by the Agency

for International Development to accelerate its program in the area of disaster prevention activities.

#### DEBT RESTRUCTURING

Amendment No. 21: Deletes House language on debt reduction programs.

The conferees believe that it is long past the time when agreement should have been reached among Executive agencies, and between Executive agencies and the appropriate Legislative committees concerning how debt reduction actions should be scored and concerning how that scoring relates to the scoring of new credit risk to countries which have benefited from debt reductions.

The conferees first agreed on a debt reduction program for low-income countries in 1989. The conferees are concerned that five years later no agreements have been reached on these issues between the responsible organizations. This continuing failure to resolve these scoring issues makes it difficult to craft, consider, budget, or appropriate for debt policies.

#### MICROENTERPRISE DEVELOPMENT PROGRAM ACCOUNT

Amendment No. 22: Inserts Senate language which allows guarantees of up to 70 percent of the principal of the loan amount for the microenterprise development guaranty program.

#### OPERATING EXPENSES OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT

Amendment No. 23: Appropriates \$517,500,000 as proposed by the House instead of \$517,800,000 as proposed by the Senate.

Amendment No. 24: Inserts language limiting the amount of operating expenses for printing costs under the Agency for International Development to \$1,475,000 and prohibiting the printing of any report or study (with certain exceptions) exceeding \$25,000 in cost unless approved by the Administrator of AID or the Administrator's designee. The House had included a limitation of \$900,000 in printing costs from operating expenses.

#### AID PRINTING COSTS

The conferees are concerned that both operating and program funds are being used to prepare and print expensive reports and studies that very few people read or use. The priority for the Agency should be to provide assistance to people and not to prepare multi-color documents. Most development issues have been studied to death and it is time to move on to program implementation not program reiteration.

The conferees also reiterate the position of the House that reports and studies prepared for the Committees on Appropriations should be printed or reproduced in the most cost effective method possible. AID should work with the Committees to eliminate reports and studies not specifically called for during action on the fiscal year 1995 bill.

#### ECONOMIC SUPPORT FUND

Amendment No. 25: Appropriates \$2,349,000,000 for the Economic Support Fund instead of \$2,339,000,000 as proposed by the House and \$2,359,200,000 as proposed by the Senate.

Amendment No. 26: Inserts Senate language earmarking \$1,200,000,000 under the Economic Support Fund for Israel and \$815,000,000 for Egypt. The conferees also agree to include language requiring early disbursement on a cash grant basis for Israel, and a requirement that \$200,000,000 be provided to Egypt as a Commodity Import Program.

Amendment No. 27: Inserts Senate language limiting to \$50,000,000 the amount of funds under the Economic Support Fund



that may be used to finance tied-aid credits unless the President determines it is in the national interest to exceed that amount. The language also provides that all tied-aid credits must be notified to the Committees on Appropriations and that no development assistance funds may be used for tied-aid credits. The House had no similar provision.

#### CYPRUS

Amendment No. 28: Inserts Senate language earmarking \$15,000,000 for Cyprus to be used only for scholarships, bicomunal projects and measures aimed at reunification.

Amendment No. 29: Deletes Senate language earmarking \$7,000,000 for the Middle East Regional Cooperation Program.

#### MIDDLE EAST REGIONAL COOPERATION PROGRAM

The conferees recommend that \$7,000,000 in Economic Support Funds be provided for the Middle East Regional Cooperation Program. This program complements the ongoing Middle East multilateral peace talks on regional issues such as water, the environment, and economic cooperation. The Middle East Regional Cooperation Program continues to demonstrate that peaceful cooperation can yield tangible benefits for all involved.

#### INTERNATIONAL FUND FOR IRELAND

Amendment No. 30: Appropriations up to \$19,600,000 for the International Fund for Ireland, as proposed by the House instead of up to \$15,000,000 as proposed by the Senate.

#### ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC STATES

Amendment No. 31: Appropriates \$359,000,000 for assistance to Eastern Europe and the Baltic States as proposed by the Senate instead of \$360,000,000 as proposed by the House.

Amendment No. 32: Inserts language permitting funding for "related programs" as proposed by the Senate.

#### ASSISTANCE FOR THE NEW INDEPENDENT STATES OF THE FORMER SOVIET UNION

Amendment No. 33: Appropriates \$850,000,000 for assistance for the new independent states of the former Soviet Union (NIS) instead of \$875,500,000 as proposed by the House and \$839,000,000 as proposed by the Senate.

The conferees believe that not less than 50 percent of the funds made available under this heading should be provided to NIS countries other than Russia.

#### AZERBAIJAN

The conferees are concerned about reports that the Administration recognizes that Section 907 of the FREEDOM Support Act may be viewed or interpreted by some as precluding NGOs from delivering certain humanitarian assistance to refugees, displaced persons and other vulnerable individuals in Azerbaijan. The conferees do not believe that this was the intent of Section 907, and therefore urge the Administration to ensure that NGOs are not precluded from using government facilities and vehicles, or from using or making necessary repairs to government facilities such as health clinics and housing. The conferees also agree that NGOs should be able to use government personnel to distribute commodities, such as doctors giving out medicine to needy civilians, as long as the NGO retains control of the commodities and services.

#### NUCLEAR SAFETY

The conferees are concerned that the Soviet built nuclear reactors now in operation in the NIS do not meet international safety standards. Among these are the RBMK

Graphite Moderated Reactors similar to the reactor which caused the disaster at Chernobyl and western style VVER reactors.

The conferees believe that steps must be taken to improve the safety of these operational reactors if a future accident, with its enormous international consequences, is to be avoided. The conferees recognize the efforts of the International Atomic Energy Agency to review, analyze, and diagnose the problems of the reactors, and note that the root causes of many operational problems are often inadequate training of reactor personnel.

The conferees believe that these problems could be addressed through the procurement of Analytical Engineering Simulators (AES) for use by the nuclear regulatory agencies of the host countries. The AES system is a multi-purpose, multi-user system capable of providing engineering analysis and it simulates normal, abnormal and emergency operations of a nuclear power plant. The conferees urge the Department of State to examine methods through which training can be provided to nuclear reactor operators in the NIS.

#### EXCHANGE PROGRAMS

The conferees agree that the NIS secondary school exchange program administered by the U.S. Information Agency has been a successful component of our assistance to the NIS. Since January 1993, over 5,500 students have participated in the program, setting a foundation for democracy and free market principles among the future leaders of the NIS.

For the 1995-96 academic year, the conferees believe that this program merits increased funding, including \$25,000,000 of the funds appropriated in this bill for exchange programs in the NIS. The conferees believe that USIA should involve up to 8,500 students in the NIS secondary school exchange program in 1995-96. The funds appropriated for this program should be transferred to USIA in a timely, efficient manner.

The conferees urge \$5,000,000 for exchanges involving postdoctoral scholars in the social sciences and humanities. Such a program should be administered through USIA's existing Regional Scholars Exchange, which currently offers such opportunities on a competitive basis to qualified non-profit organizations. This program provides an important component to a balanced program of exchanges including various age groups and professional levels.

Amendment No. 34: Deletes Senate language granting authority to transfer NIS assistance funds to the Department of Defense. The House had no similar provision.

Amendment No. 35: Deletes House language requiring an annual report on violations of the territorial integrity of NIS countries.

Amendment No. 36: Deletes both the House language and the Senate language on reprogramming and notification procedures.

The conferees agree that in the case of the NIS, the "regular procedures of the Committees on Appropriations" means that section 515 of this Act will apply to funds appropriated by this Act for the NIS as discussed under Amendment No. 84.

The conferees recognize the importance of contributions by various United States government agencies in the delivery of United States assistance to the NIS. However, the conferees are concerned that the participation of numerous agencies impedes the ability of Congress and the Administration to adequately monitor a significant portion of the NIS program.

The conferees expect that for a transfer or allocation by AID to another agency, where the transfer or allocation constitutes an obligation of funds, AID should be the agency of the United States ultimately responsible for programmatic and financial accountability. In those instances where a transfer or allocation does not constitute an obligation, the ultimate responsibility for programmatic and financial accountability should fall on the agency of the United States receiving and obligating the funds.

In the latter case, the conferees are concerned that the Administration, through the Coordinator's office for NIS programs, has not taken adequate steps to ensure that appropriate accountability standards are being applied. In the case of nonobligating transfers or allocations for funds, the Coordinator's office should ensure that the Inspector General Offices of the receiving agencies are required to audit their agency NIS activities and that they are doing so. The Coordinator's office also should be responsible for ensuring that audit findings are expeditiously acted upon by the agency receiving those funds.

Amendment No. 37: Inserts Senate language making NIS funds subject to existing environmental and natural resources legislation.

Amendment No. 38: Changes a subsection designation.

Amendment No. 39: Changes a subsection designation.

Amendment No. 40: Inserts language which states that not less than \$15,000,000 should be provided to support NIS family planning programs. The conferees believe that, of the \$15,000,000, \$6,000,000 should be provided for such programs in Russia, \$3,000,000 should be provided for such programs in Ukraine, Moldova, and Belarus, and \$6,000,000 should be provided for such programs in the Central Asian Republics (CAR).

#### NIS FAMILY PLANNING

The rate of unplanned pregnancies in the NIS is disturbingly high. Russian women on average have eight to ten abortions during their reproductive lives. The conferees have been assured that a comprehensive program of family planning services will be put in place during the fiscal year. This new program, modeled after the existing program for the CAR, should provide \$15,000,000 for comprehensive services through both public and private sectors.

This program should stress the use of high quality, modern contraceptive methods which lessen the incidence of unplanned pregnancies. The program should include training for health care providers in contraceptive methods, procedures, equipment and services. The program also should include assistance for information, education and communication to make information available to the population, and medical and technical information available to health care providers. Technical assistance should be provided for public health, cost recovery, logistics, marketing and privatization.

Amendment No. 41: Inserts language stating that \$150,000,000 should be provided to Ukraine and that \$25,000,000 of that amount should be for programs related to land privatization and small and medium-sized businesses and agriculture enterprises.

Amendment No. 42: Inserts language stating that not less than \$75,000,000 should be provided to Armenia from all sources.

Amendment No. 43: Inserts language stating that not less than \$50,000,000 should be provided to Georgia from all sources.

Amendment No. 44: Inserts language stating that the President should establish a Trans-Caucasus Enterprise Fund.

Amendment No. 45: Inserts language requiring that certain reports include information on NIS program grants and contracts by country, amount, purpose and recipient.

Amendment No. 46: Deletes Senate language concerning the hospital partnership program.

#### NIS HOSPITAL PARTNERSHIP

The conferees encourage the Administration to build on the record of success established by the hospital partnership program underway in the NIS. Currently, 20 hospital partnerships have been established which work to improve the clinical and managerial aspects of health care in the NIS. Over 1,100 exchanges have taken place since July 1992.

The conferees believe private sector support for programs in the NIS is essential to long term improvements in the delivery of health care. The conferees support this public/private cooperative approach and encourage AID to provide sufficient resources to expand the number of partnerships as well as include medical schools and institutions.

Amendment No. 47: Deletes Senate language concerning a "Tech Corps" for the NIS.

Amendment No. 48: Inserts language providing that not less than \$50,000,000 of the NIS funds should be used for public/private matching programs.

Amendment No. 49: Inserts language requiring AID to report to the Committees on Appropriations concerning the feasibility of including individuals and organizations with regional or language expertise in the NIS assistance programs.

Amendment No. 50: Inserts language providing not to exceed \$30,000,000 for police training and exchanges, and for investigative and technical assistance activities for Eastern Europe and the Baltic States and for the NIS related to international criminal activities.

#### NIS PROGRAMS ADDRESSING CRIMINAL ACTIVITIES

The conferees believe that United States government agencies including the FBI, the Justice Department, the Drug Enforcement Administration, the Treasury Department, Customs and other law enforcement agencies and private organizations should be utilized to cooperatively assist the governments of Russia, the other new independent states of the former Soviet Union of East and Central Europe. The conferees believe that such assistance should focus on transnational and international law enforcement affecting the United States. The conferees support such assistance but recognize that its provision may be a sensitive domestic political matter for a variety of reasons in some countries and expect the Administration to consult closely with recipient governments regarding the provision of this assistance.

Amendment No. 51: Deletes language proposed by the Senate earmarking funds for the International Criminal Investigative Training Assistance Program (ICITAP).

Amendment No. 52: Inserts language which states that not less than 50 percent of NIS funds provided in this Act should be for country specific activities within bilateral, regional, or multilateral programs except through the regular notification procedures of the Committees on Appropriations.

#### PEACE CORPS

Amendment No. 53: Appropriates \$219,714,000 as proposed by the House for the Peace Corps instead of \$221,745,000 as proposed by the Senate. The conferees expect that the Peace Corps will receive by transfer from funds appropriated for assistance for

the NIS the full cost of fiscal year 1995 Peace Corps operations in the NIS.

#### INTERNATIONAL NARCOTICS CONTROL

Amendment No. 54: Appropriates \$105,000,000 for International Narcotics Control instead of \$115,000,000 as proposed by the House and \$100,000,000 as proposed by the Senate.

Amendment No. 55: Inserts language proposed by the Senate permitting the Department of State to receive nonlethal excess property from other Federal agencies for use in counternarcotics activities, subject to the notification procedures of the Committee on Appropriations. The conferees delete additional Senate language to extend for one year certain reporting and certification requirements under sections 489 and 490 of the Foreign Assistance Act of 1961. The conferees understand that these provisions are to be extended under separate authorizing legislation.

#### MIGRATION AND REFUGEE ASSISTANCE

Amendment No. 56: Appropriates \$671,000,000 for Migration and Refugee Assistance as proposed by the Senate instead of \$670,688,000 as proposed by the House.

#### REFUGEES IN THAILAND AND LAOS

The conferees recognize that the Government of Thailand has been granting temporary safe haven to refugees from Indochina and Burma and urge that they be permitted to remain until they can return to their homelands voluntarily in conditions of safety and dignity or resettle abroad. In order to facilitate the voluntary return of Hmong and other refugees to their homelands, the Administration should encourage the United Nations High Commissioner for Refugees to increase UNHCR monitoring of returnees by staff fluent in the refugees' languages and to provide varied types of reintegration assistance that would make it possible for returning refugees to become self-sufficient. The Administration also should encourage bilateral and multilateral funding institutions, international organizations like the United Nations Development Program, governmental entities, including the European Union, as well as private voluntary agencies, to ensure that national rehabilitation and economic development programs take into account the particular needs and skills of returning refugees. The Administration also should encourage cooperative efforts with UNHCR to facilitate the social and economic reintegration of returning refugees.

Amendment No. 57: Inserts Senate language earmarking \$80,000,000 for Soviet, Eastern European and other refugees resettling in Israel.

#### REFUGEE RESETTLEMENT ASSISTANCE

Amendment No. 58: Appropriates \$6,000,000 for refugee resettlement assistance instead of \$12,000,000 as proposed by the House. The Senate had no similar provision.

#### TITLE III—MILITARY ASSISTANCE

##### FUNDS APPROPRIATED TO THE PRESIDENT

##### INTERNATIONAL MILITARY EDUCATION AND TRAINING

Amendment No. 59: Inserts Senate language allowing IMET funds to be used to train individuals who are not members of a government.

Amendment No. 60: Inserts language prohibiting Indonesia from receiving IMET training as proposed by the House, and inserts language prohibiting Rwanda from receiving IMET training as proposed by the Senate.

Amendment No. 61: Deletes House language prohibiting the use of funds appro-

riated by this Act to facilitate the provision of IMET to Indonesia.

Amendment No. 62: Inserts Senate language clarifying that the report on the School of the Americas should address the fiscal year 1995 program.

Amendment No. 63: Inserts language requiring that no IMET or Military-to-Military Contact program funding be made available to Thailand or Algeria except through the regular notification procedures. In addition, the Secretary of State is to submit a report by February 1, 1995 on the Thai military's support for the Khmer Rouge and the Thai government's efforts to impede support for Burmese democracy advocates, exiles and refugees.

#### MILITARY-TO-MILITARY CONTACT PROGRAM

Amendment No. 64: Inserts the title "Military-to-Military Contact Program" as proposed by the Senate. This has the effect of creating a separate account for this program. The conferees have also listed this program under Amendment No. 83 among the accounts in the bill which are subject to justification and notification procedures. The conferees therefore expect that the committees of jurisdiction will receive a document justifying the fiscal year 1995 program by country prior to any funds being obligated. In addition, the conferees expect that the committees of jurisdiction will be notified of any program changes in accordance with the regular notification procedures.

The conferees are concerned about the lack of coordination in program planning between the Departments of Defense and State for this program. The level of funding of \$12,000,000 will allow for the continuation of the current program in Eastern Europe and the Baltic States and the initiation of programs in the area of responsibility of the United States Pacific Command. The conferees expect that the Secretary of Defense in conjunction with the Secretary of State will prepare and submit a report addressing the future of military training of foreign armed forces. This report should address purposes, resources, coordination among programs, and the appropriate roles of the respective Departments in carrying out military training. It should also detail the process by which the Departments of State and Defense intend to coordinate the initial planning for country specific programs. The conferees will consider expanding the authorities for this program beyond these two regions upon the submission of this report.

Amendment No. 65: Inserts language clarifying that the \$12,000,000 appropriated may be used only for programs in East European countries and the Baltic States, and the area of responsibility of the United States Pacific Command. The conferees agree to remove the earmarks for the United States Pacific Command and the East European countries and the Baltic States proposed by the Senate.

#### FOREIGN MILITARY FINANCING PROGRAM

Amendment No. 66: Appropriates \$3,151,279,000 for the Foreign Military Financing Program as proposed by the Senate instead of \$3,149,279,000 proposed by the House. The conferees expect that the proposed demining program will be fully funded at the request level.

Amendment No. 67: Inserts Senate language earmarking \$1,800,000,000 for Israel and \$1,300,000,000 for Egypt, providing for early disbursement for Israel, and various provisions related to research and development and procurement as proposed by the Senate. The House had proposed language on grants and early disbursement.



Amendment No. 68: Deletes language proposed by the House. Inserts language proposed by the Senate which stipulates that funds made available under this heading shall be made available for Greece and Turkey only on a loan basis, and in amounts not to exceed the following: \$255,150,000 only for Greece, and \$364,500,000 only for Turkey. Authority to extend loans to Greece and Turkey is at a 7 to 10 ratio.

Amendment No. 69: Inserts language withholding 10 percent of the principal of direct loans to Turkey and Greece until the submission of reports addressing: in the case of Turkey allegations of abuses committed against civilians by Turkish armed forces and the situation in Cyprus, and in the case of Greece allegations of violations of the United Nations sanctions against Serbia and of the United Nations Charter. A separate notification is to be submitted at least fifteen days prior to the obligation of withheld funds.

Amendment No. 70: Deletes Malawi from those countries prohibited from receiving military assistance as proposed by the Senate.

Amendment No. 71: Inserts House language requiring that none of the funds appropriated under this heading may be made available for Colombia and Bolivia until the Secretary of State certifies that such funds will be used by such country primarily for counternarcotics activities.

Amendment No. 72: Inserts Senate language providing authority to use Foreign Military Financing for demining purposes notwithstanding any other provision of law, including activities implemented through nongovernmental organizations and international organizations.

Amendment No. 73: Inserts Senate language clarifying that the limitation on administrative expenses applies to fiscal year 1995 as proposed by the Senate.

#### SPECIAL DEFENSE ACQUISITION FUND

Amendment No. 74: Inserts Senate language making available \$140,000,000 in obligation authority originally provided in fiscal year 1993, and making available an additional \$20,000,000 in obligation authority to remain available until September 30, 1998. This authority is necessary for the orderly close out of the fund. The authority is not to be used to initiate new procurement.

#### PEACEKEEPING OPERATIONS

Amendment No. 75: Inserts Senate language adding to the title "(Including Transfer of funds)".

Amendment No. 76: Inserts Senate language allowing the transfer of \$850,000 from the Peacekeeping Operations account to the International Military Education and Training account, and specifying that such funds are in addition to amounts that may be transferred between accounts under the authority of any provision of law.

#### TITLE IV—EXPORT ASSISTANCE

##### EXPORT-IMPORT BANK OF THE UNITED STATES

##### SUBSIDY APPROPRIATION

Amendment No. 77: Appropriates \$786,551,000 as proposed by the Senate instead of \$792,653,000 as proposed by the House.

Amendment No. 78: Deletes House language limiting Export-Import Bank program to not to exceed \$19,000,000,000 in gross obligations.

##### ADMINISTRATION EXPENSES

Amendment No. 79: Appropriates \$45,228,000 for the administrative expenses of the Export-Import Bank as proposed by the Senate instead of \$44,500,000 as proposed by the House.

Amendment No. 80: Inserts Senate language extending special compensation authority previously granted to the Export-Import Bank to October 1, 1995 as proposed by the Senate.

##### OVERSEAS PRIVATE INVESTMENT CORPORATION

Amendment No. 81: Inserts new language which (1) provides \$33,944,000 in program funding instead of \$23,296,000 as proposed by the House and \$34,940,000 as proposed by the Senate, (2) provides that the funds are made available for obligation for fiscal years 1995 and 1996, and (3) creates a new "Noncredit Account" and defines and sets administrative expenses at \$24,322,000 as proposed by the Senate.

#### TITLE V—GENERAL PROVISIONS

##### PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN COUNTRIES

Amendment No. 82: Deletes House language in section 507 which had included Vietnam from the list of countries for which direct assistance is prohibited as proposed by the Senate. The conferees also agree to add North Korea to the list of countries prohibited from receiving direct assistance.

##### NOTIFICATION REQUIREMENTS

Amendment No. 83: Inserts Senate language in Section 515 listing the Military-to-Military Contact Program among the accounts to which the established notification procedures apply. The House had included only a parenthetical reference to the program. The conferees expect to receive justification materials for this program prior to obligation of fiscal year 1995 funds as discussed earlier in this statement.

Amendment No. 84: The conferees agree to delete language proposed by the Senate requiring that the Congressional Presentation Documents for fiscal year 1996 be based on the level of detail provided in fiscal year 1993.

The conferees agree on the following procedures with regard to congressional notifications of economic assistance funds appropriated by this Act. As soon as possible after submission of the report required by section 653(a) of the Foreign Assistance Act, the Administration is to submit to the Committees on Appropriations a listing of projects proposed for funding with funds appropriated by this Act for development assistance under sections 103 through 106, and 496 of the Foreign Assistance Act, and for the Eastern Europe and the Baltic States, New Independent States of the Former Soviet Union, and Economic Support Fund accounts. Each listed project is to include the amount proposed for obligation from 1995 appropriated funds. Development Assistance projects that were not previously justified to the Committees, either by Congressional notification or in the project-by-project addenda to the fiscal year 1995 Congressional Presentation Documents submitted by the Administration, are to be separately designated in the listing. New projects are to include a full project justification. Each project contained in the listing will be considered to have been justified if, during a 15-day waiting period, no objection to it is raised. In general, notifications shall be provided under the following circumstances:

(1) for projects and activities added to or deleted from the project listing;

(2) for projects and activities where the proposed obligation exceeds the amount contained in the listing, except that with regard to development assistance (including the Development Fund for Africa) this applies only to projects where major funding changes (20 percent or more of the proposed fiscal year obligation level) are proposed;

(3) for projects and activities where substantial changes to the purpose of the project are proposed;

(4) for projects and activities whose proposed funding source is an account different from that previously justified; and

(5) for all nonproject assistance activities, including commodity import program assistance.

Until such time as the listing requested in the previous paragraph is submitted, the basis against which notifications for funds appropriated by this Act will be submitted will be the addenda to the Congressional presentation that had previously been submitted to the Committees on Appropriations.

As is the case currently, when it has been specified that funds may be obligated "subject to the regular notification procedures of the Committees on Appropriations", notifications are to be submitted prior to the obligation of funds notwithstanding the procedures contained above.

To assure that Congress receives a fully documented program for review, the conferees agree that the Administration needs to provide more detailed information than was originally provided for fiscal year 1995.

The conferees agree that the annual congressional presentations for programs in sustainable development, the Economic Support Fund, Eastern Europe, and the new independent states of the former Soviet Union should convey as clear an understanding as possible of the programs. The country-by-country narratives should include an explanation of the conditions in each recipient country, including government policies, that influence the ability of the programs to achieve their objectives and of the country to achieve sustainable development.

##### SPECIAL NOTIFICATION REQUIREMENTS

Amendment No. 85: Inserts Senate language adding the Dominican Republic to the list of countries requiring special notification procedures.

##### FAMILY PLANNING, CHILD SURVIVAL AND AIDS ACTIVITIES

Amendment No. 86: Inserts language which allows for individuals currently detailed to the Agency for International Development for the purpose of carrying out family planning, child survival, and AIDS activities to remain in their present capacity.

##### PROHIBITION AGAINST INDIRECT FUNDING TO CERTAIN COUNTRIES

Amendment No. 87: Deletes House language which had included Vietnam among the list of countries prohibited from receiving indirect assistance as proposed by the Senate.

Amendment No. 88: Inserts Senate language "or the" appropriately array the list of countries.

Amendment No. 89: Deletes House language which had included Laos among the list of those countries prohibited from receiving indirect assistance as proposed by the Senate.

##### AUTHORIZATION REQUIREMENT

Amendment No. 90: Inserts Senate language waiving section 10 of Public Law 91-672 and section 15 of the State Department Basic Authorities Act of 1956.

Amendment No. 91: Repeals legislation prohibiting assistance to Vietnam, and inserts new language (1) authorizing funding for the Inter-American Development Bank (IDB), the Fund for Special Operations (FSO), the African Development Fund (ADF), and the Enhanced Structural Adjustment

Facility (ESAF) of the International Monetary Fund (IMF), (2) addressing military spending by countries which receive assistance from the International Financial Institutions, (3) encouraging respect for indigenous peoples, (4) encouraging fair labor practices, and (5) encouraging focus on low-income areas of Latin America and the Caribbean.

#### ENHANCED STRUCTURAL ADJUSTMENT FACILITY

The conferees have provided \$25,000,000 for the ESAF in recognition of the Treasury Department's efforts to deal with the problem of IMF secrecy by reforming disclosure policies and practices to make publicly available IMF programs, including:

(1) release of its annual reports on Recent Economic Developments in members countries;

(2) strong encouragement and support for governments receiving assistance under the ESAF to release Policy Framework Papers developed by the IMF in connection with their ESAF program;

(3) permission for any country that wishes to release its annual articles IV consultation report containing the IMF's analysis of its economic policies and performance;

(4) strong encouragement and support for governments to release letters of intent containing the commitments associated with their IMF program; and

(5) release of program documents at the completion of each individual program.

The conferees believe that public availability of the documents described above would lead to greater understanding of a government's economic policies and would facilitate open and informed discussion of crucial issues such as the need to deal with the social costs of adjustment. Such discussion could help to improve the quality of policy design and implementation and help to build a political consensus that would contribute substantially to the success of IMF programs.

The conferees hope that other nations will recognize the substantial benefits of disclosure for the IMF as an institution and for both industrial and developing countries and that they will work with the U.S. government to end IMF secrecy. The conferees encourage the Administration to give such efforts a high priority on the international economic agenda of the United States, including within the framework of the G-7, and to involve appropriate United States government agencies.

In determining when and whether to recommend the remainder of the \$100,000,000 requested by the Administration for the ESAF, consideration will be given to the progress made on disclosure of the above information. The conferees are encouraged that in July, 1994, the Executive Board of the IMF adopted a management proposal to release the reports on Recent Economic Developments and to encourage wider circulation of the Policy Framework Papers.

#### INTER-AMERICAN DEVELOPMENT BANK

The conferees authorized one-half of the amount requested by the Administration, to cover the first three of six planned annual installments for the United States paid-in and callable capital stock.

The conferees note that the Inter-American Development Bank is in the process of instituting reforms with regard to disclosure of information and an independent review panel. The Congress intends to monitor closely the experience with the two reform measures and, if it finds the experience to be satisfactory, expects to authorize the additional three years of the replenishment.

The conferees believe that a policy of broad access to information would encourage participation of interested parties in the IDB's decision-making process in the early stages of the project cycle. The conferees expect that such input would result in improved design, and increased support for, IDB projects. The conferees expect that the IDB will adopt and implement a policy with a strong presumption in favor of disclosure of information.

#### WORKER RIGHTS

The conferees seek to promote internationally recognized worker rights through the policies and programs of the International Financial Institutions (IFI's). To this end, the Secretary of the Treasury shall instruct the United States executive director of each IFI to use their voice and vote to urge (1) the adoption of policies to encourage borrowing countries to guarantee internationally recognized worker rights and to include the status of such rights as an integral part of policy dialogue with each country, and (2) establishment of procedures to screen programs for negative impact on these rights. An annual report on progress toward achieving these goals and on the extent to which each borrowing country guarantees internationally recognized worker rights is required.

#### COMPETITIVE INSURANCE

Amendment No. 92: Deletes the word "marine" as proposed by the Senate. This will require the Agency for International Development to include a clause requiring that United States companies have a fair opportunity to bid for insurance, when insurance is necessary or appropriate. This requirement continues to apply to marine insurance.

Amendment No. 93: Deletes the word "marine" as proposed by the Senate. The effect of this action is explained under Amendment No. 92.

#### COMPLIANCE WITH UNITED NATIONS SANCTIONS AGAINST IRAQ

Amendment No. 94: Inserts Senate language adding the countries of Serbia and Montenegro into the provision denying assistance to countries that are not in compliance with United Nations Security Council sanctions. The conferees intend that this authority apply to countries not in compliance with such sanctions against Iraq, Serbia or Montenegro. Denial of assistance is subject to the various certification requirements of this section.

Amendment No. 95: Inserts Senate language adding Serbia and Montenegro to the existing Presidential authority on import sanctions. Under this authority the President may prohibit, consistent with United Nations sanctions, importation into the United States of any or all products of any foreign country that has not prohibited either the import of products from Iraq, Serbia or Montenegro, or exports to Iraq, Serbia or Montenegro.

Amendment No. 96: Inserts language adding Serbia and Montenegro to the existing Presidential authority on import sanctions. The effect of this action is explained under Amendment No. 95.

Amendment No. 97: Inserts language adding Serbia and Montenegro to the existing Presidential authorities on import sanctions. The effect of this action is explained under Amendment No. 95.

#### POW/MIA MILITARY DRAWDOWNS

Amendment No. 98: Inserts Senate language adding Vietnam to those countries eligible for certain assistance, as the President

determines necessary to support efforts to locate and repatriate members of the United States Armed Forces and civilians who remain unaccounted for from the Vietnam War.

#### AUTHORITY TO ASSIST BOSNIA-HERCEGOVINA

Amendment No. 99: Inserts Senate language requiring notification to the Committees on Appropriations on the use of the military drawdown authority for Bosnia-Herzegovina.

Amendment No. 100: Inserts Senate language adding defense services to drawdown authority for Bosnia-Herzegovina.

Amendment No. 101: Deletes House language on the drawdown of United States government commodities and services for the United Nations War Crimes Tribunal as proposed by the Senate. This authority is addressed under Amendment No. 133.

#### SPECIAL AUTHORITIES

Amendment No. 102: Inserts the words "country or" in the description of entities cooperating with the Khmer Rouge. This requires the President to terminate assistance to any country or organization that he determines is cooperating, tactically or strategically, with the Khmer rouge in their military operations.

Amendment No. 103: Inserts Senate language adding the purpose of supporting biodiversity conservation activities to those activities that may be carried out notwithstanding any other provision of law.

#### ANTI-NARCOTICS ACTIVITIES

Amendment No. 104: Inserts Senate language allowing for the continuation of the police training program in Panama.

Amendment No. 105: Inserts Senate language changing a subsection designation.

Amendment No. 106: Inserts Senate language changing a subsection designation.

Amendment No. 107: Inserts Senate language changing a subsection designation.

#### EXCESS DEFENSE ARTICLES

Amendment No. 108: Inserts Senate language changing a subsection designation.

Amendment No. 109: Inserts language allowing for the transfer of nonlethal defense articles under section 518, concerning biodiversity of the Foreign Assistance Act of 1961 notwithstanding any other provision of law, and makes Jordan eligible under the authorities of section 516, concerning excess defense articles of the Foreign Assistance Act of 1961 in fiscal year 1995 subject to section 538 of this Act.

The expanded authorities under section 518 are intended mainly to facilitate the use of simplified procedures for making such transfers to non-military recipients. The conferees still expect, however, that the United States government will secure such end-use, retransfer and other assurances from private or civilian sector recipients (as well as military establishments) as are appropriate for use of such equipment for the biodiversity purposes described in section 518 of the Act.

With respect to Jordan, the conferees expect that the authority granted by this section will be used only for transfer of small arms and ammunition until such time as Jordan and Israel conclude a peace agreement. Thereafter, the conferees will consider notifications with respect to other items. The notification procedures applicable to excess defense articles apply to all items. The conferees agree to provide this authority subject to the provisions of section 538 of this Act regarding Iraq sanctions. Jordan may receive excess defense articles subject to the provisions of that section.



## LIMITATIONS ON ASSISTANCE FOR NICARAGUA

Amendment No. 110: Deletes Senate language adding additional conditions to the determinations on assistance to Nicaragua. The Department of State is to submit a report on the results of the investigation conducted relating to issues raised by the discovery after the May 23, 1993 explosion in Managua, of weapons caches, false passports, identity papers and other documents suggesting the existence of a terrorist kidnapping ring. The conferees expect the report to address the results of the investigation by the relevant law enforcement agencies, the extent of United States' and other countries' participation in the investigation, and the status of prosecutions and convictions resulting from the investigation.

Amendment No. 111: Inserts section number proposed by the House.

Amendment No. 112: Inserts Senate language clarifying the date of the Managua explosion to be May 23, 1993.

Amendment No. 113: Inserts section number proposed by the House.

Amendment No. 114: Inserts section number proposed by the House.

Amendment No. 115: Inserts section number proposed by the House.

Amendment No. 116: Inserts section number proposed by the House.

Amendment No. 117: Inserts section number proposed by the House.

## SPECIAL DEBT RELIEF FOR THE POOREST

Amendment No. 118: Inserts language authorizing the President to reduce debt for the poorest countries of the world under certain conditions. The conferees agree to deny this authority to any country whose assistance has been cut off due to section 527 of the Foreign Relations Authorization Act for fiscal years 1994 and 1995.

## LIMITATION ON ASSISTANCE FOR THE PLO FOR THE WEST BANK AND GAZA

Amendment No. 119: Deletes the Presidential national interest waiver as proposed by the Senate. Nothing in this amendment prevents the President from waiving any section of this Act under section 614 of the Foreign Assistance Act of 1961, if he deems it to be in the national security interest of the United States to do so.

## FACILITATE PEACE IN MIDDLE EAST

Amendment No. 120: Inserts Senate language amending section 583(b)(5) of the Middle East Peace Facilitation Act by adding an additional condition for Congressional extension of the certification authority contained in that provision.

## IMPLEMENTATION OF WAPENHANS REPORT RECOMMENDATIONS

Amendment No. 121: Inserts language conditioning the payment of funds to the World Bank on progress in implementing the recommendations of the Wapenhans Report. The conferees agree to require that 50 percent of the funds for the contribution's to the International Bank for Reconstruction and Development, the International Development Association, and the International Finance Corporation shall be withheld until April 1, 1995, and will be available after that date based on the Secretary of the Treasury's certification on meeting the recommendations specified in the Wapenhans Report.

## RESTRICTIONS ON ASSISTANCE TO RUSSIA

Amendment No. 122: Deletes "it has been made known to the President" as proposed by the Senate. Section 568 is eliminated by Amendment No. 161. The issue of Russian troop withdrawal from the Baltic States is addressed under Amendment No. 161.

Amendment No. 123: Inserts Senate language expanding the exemptions of this section to Lithuania, or countries other than Russia. Section 568 is eliminated by Amendment No. 161. The issue of Russian troop withdrawal from the Baltic States is addressed under Amendment No. 161.

## ADDITIONAL LIMITATION ON FUNDS TO ENSURE IMPLEMENTATION OF WAPENHANS REPORT RECOMMENDATIONS

Amendment No. 124: Deletes House language on Wapenhans Report as proposed by the Senate.

## MILITARY EXPENDITURES BY RECIPIENTS OF MULTILATERAL ASSISTANCE

Amendment No. 125: Deletes Senate language on military expenditures by recipients of multilateral assistance.

## PURCHASE OF AMERICAN-MADE PRODUCTS

Amendment No. 126: Inserts Senate language clarifying the method of notice provided to companies on contract opportunities. The conferees agree that notice is to be provided consistent with section 570(a) of this Act and section 604(a) of the Foreign Assistance Act of 1961. The conferees agree that to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American made.

## WEST BANK AND GAZA ECONOMIC DEVELOPMENT FUND

Amendment No. 127: Inserts Senate language specifying that not less than \$20,000,000 should be available to support small and medium-sized enterprises in the West Bank and Gaza. Authority is provided to use these funds for the subsidy costs of direct loans and loan guarantees. Use of funds for these purposes are subject to the regular notification procedures of the Committees on Appropriations.

## AGRICULTURAL AID TO THE NEW INDEPENDENT STATES OF THE FORMER SOVIET UNION

Amendment No. 128: Inserts Senate language specifying that up to \$50,000,000 should be made available for the provision of United States agricultural commodities to address the food and nutritional needs of the people of the NIS.

## EXPORT FINANCING AUTHORITIES

Amendment No. 129: Inserts language allowing for transfers among accounts in title IV of this Act in both fiscal year 1994 and 1995. In fiscal year 1995 not to exceed 5 percent of any appropriation may be transferred among the accounts subject to the regular notification procedures of the Committees on Appropriations. In fiscal year 1994, \$12,000,000 is transferred from the Export-Import Bank to OPIC, and \$1,000,000 is transferred from the Export-Import Bank to the Trade and Development Agency.

## INCAE

Amendment No. 130: Inserts Senate language allowing for the shifting and repayment of certain debt owed by the Central American Institute of Business Administration (INCAE).

## MONGOLIA

Amendment No. 131: Inserts Senate language which drops Mongolia from the list of countries in section 620(f) of the Foreign Assistance Act of 1961.

## REPORT ON COMPLIANCE WITH COMMITMENTS

Amendment No. 132: Inserts Senate language which amends the PLO Commitments Compliance Act of 1989 by adding a new condition for compliance regarding measures taken by the PLO to prevent acts of terror-

ism, crime, and hostilities, and to legally punish offenders, as called for in the Gaza-Jericho agreement of May 4, 1994.

## WAR CRIMES TRIBUNAL

Amendment No. 133: Inserts Senate language providing authority to draw down \$25,000,000 in United States government commodities and services for the United Nations War Crimes Tribunal established with regard to the former Yugoslavia or such other tribunals or commissions as the UN Security Council may establish to deal with such violations.

The conferees have expanded the War Crimes Tribunal authority to allow drawdowns during any fiscal year for United States commodities and services. This authority may be used not only for the United Nations War Crimes Tribunal for the former Yugoslavia, but also for such other tribunals or commissions as the United Nations Security Council may establish to deal with other instances of genocide or other violations of international law (such as Rwanda). It is the intent of the conferees that this authority can be used in any fiscal year to provide up to \$25,000,000 of commodities and services without regard to certain other existing limitations on similar authorities. It is also the intent of the conferees that a substantial portion of these funds be used for training and other assistance for prosecutors. The expanded authority may be used from the day of enactment of this Act.

## DONATION OF SURPLUS AGRICULTURAL COMMODITIES TO POLAND

Amendment No. 134: Inserts language amending current law regarding the donation of surplus commodities to Poland. The conferees agree to extend these authorities through 1999. The use of this authority is subject to other emergency humanitarian needs worldwide and commodity prices in Poland.

## BUY AMERICA

Amendment No. 135: Deletes language proposed by the Senate on the opportunities for United States manufacturers to meet United Nations acquisition needs. The conferees expect that United States manufacturers and suppliers will be given opportunities to provide equipment, services, and material for United Nations peacekeeping activities and other United Nations acquisition needs equal to those given to foreign manufacturers and suppliers.

## TELECOMMUNICATIONS PROCUREMENT

Amendment No. 136: Deletes Senate language concerning telecommunications procurement. The conferees strongly believe that the Agency for International Development and other agencies as appropriate should take appropriate steps to ensure that United States firms are not disadvantaged in procurement opportunities related to promoting development through telecommunications enhancement. The use of a reciprocal standard should be applied to high technology firms primarily owned by nationals of countries which deny procurement opportunities to United States firms. The conferees oppose the eligibility of such foreign firms for United States financed procurement, if the government of that country restricts American manufacturers of the same high technology products from eligibility for government procurement of government financed programs.

## COUNTRY DEVELOPMENT POLICIES REPORT

Amendment No. 137: Deletes Senate language on reporting on country development policies. This issue is addressed under Amendment No. 84.

## NONLETHAL EXCESS DEFENSE ARTICLES

Amendment No. 138: Inserts Senate language on transportation costs of nonlethal excess defense articles to Albania. The conferees note that this authority is granted for one year only. The provision is amended to include a new section number 579.

## LANDMINES

Amendment No. 139: Inserts Senate language permitting landmine clearing equipment to be made available to countries on a grant basis. The provision is amended to include a new section number 580.

## PROHIBITION ON PAYMENT OF CERTAIN EXPENSES

Amendment No. 140: Inserts Senate language restricting the use of International Military Education and Training funds for certain expenses. The provision has been amended to include a new section number 581.

## BURMA

Amendment No. 141: Deletes Senate findings on Burma.

## EMERGENCY PROJECTS IN BOSNIA AND HERCEGOVINA

Amendment No. 142: Inserts language providing that not less than \$10,000,000 should be available only for emergency winterization and rehabilitation projects and for the reestablishment of essential services in Bosnia and Hercegovina. The provision also has been amended to include a new section number 582.

## HUMANITARIAN ASSISTANCE FOR BOSNIA AND HERCEGOVINA

Amendment No. 143: Inserts language providing that not less than \$5,000,000 should be available only for medical equipment and supplies and medicine to Bosnia and Hercegovina, and for the repair and reconstruction of hospitals, clinics, and medical facilities. The provision also has been amended to include a new section number 583.

## POVERTY REDUCTION EMPHASIS FOR DEVELOPMENT ASSISTANCE

Amendment No. 144: Deletes Senate language on poverty reduction. The conferees recommend that a significant portion of Development Assistance funds be used to finance programs, projects, and activities that directly improve the lives of the poor, with an emphasis on individuals living in absolute poverty. The conferees further urge the Administrator of the Agency for International Development to increase the direct involvement of the poor in project design, implementation and evaluation, and to develop indicators and criteria for monitoring and evaluating progress toward poverty reduction.

## PAYMENTS IN KIND AS VOLUNTARY CONTRIBUTIONS TO UNITED NATIONS PEACEKEEPING ACTIVITIES

Amendment No. 145: Deletes Senate language on payments in kind for UN peacekeeping activities. The conferees believe that the United States should be able to contribute to UN Peacekeeping activities in the form of excess defense articles and goods and services.

## POLICY REGARDING HUMANITARIAN AID TO HAITI

Amendment No. 146: Deletes Senate language on humanitarian aid to Haiti. The conferees urge the Secretary of State, the Secretary of the Treasury, and the Administrator of the Agency for International Development to expedite approval of valid applications for emergency medical evacuation

flights out of Haiti, and for humanitarian aid flights to Haiti, where such aid consists of food, medicine or medical supplies, or spare parts or equipment for the transportation or distribution of humanitarian aid by nongovernmental or private voluntary organizations.

## LOANS TO NATIONS THAT ENFORCE THE ARAB BOYCOTT OF ISRAEL

Amendment No. 147: Deletes Senate language on loans to nations that enforce the Arab boycott of Israel. The conferees object strongly to the Arab boycott of Israel.

## CAMBODIA

Amendment No. 148: Deletes Senate findings on Cambodia.

## INDONESIA

Amendment No. 149: Inserts language stating that the United States shall refrain from selling or licensing for export to Indonesia defense articles such as small or light arms and crowd control items until the Secretary of State determines and reports to the Committees on Appropriations that significant progress has been made on human rights in East Timor and elsewhere in Indonesia. The provision also has been amended to insert a new section number.

## UNITED STATES PANEL OF THE JOINT COMMITTEE ON UNITED STATES-JAPAN CULTURAL AND EDUCATIONAL COOPERATION

Amendment No. 150: Deletes language proposed by the Senate amending the United States-Japan Friendship Act.

## GERMANY

Amendment No. 151: Deletes language proposed by the Senate concerning German and Japanese membership in the United Nations Security Council.

## POLICY REGARDING GERMAN PARTICIPATION IN INTERNATIONAL PEACEKEEPING OPERATIONS

Amendment No. 152: Deletes language proposed by the Senate regarding German participation in International Peacekeeping operations.

## UNITED NATIONS OFFICE OF INSPECTOR GENERAL

Amendment No. 153: Deletes language proposed by the Senate reaffirming that certain legislation concerning the creation of an independent office of Inspector General remains in effect.

## REGARDING THE EXTRADITION TO THE UNITED STATES OF MOHAMMAD ISMAIL ABEQUA

Amendment No. 154: Deletes language proposed by the Senate concerning the extradition of Mohammad Ismail Abequa.

The conferees are concerned that Mohammad Ismail Abequa fled to Amman, Jordan with United States citizens Sami and Lisa Abequa. Mr. Abequa, who is in custody in Jordan, has confessed to the brutal murder of the Abequa children's mother, Nihal Abequa. The aunt of the children, Nesime Dokur, and their maternal grandmother, Meryem Gussal, have been designated by the Superior Court of New Jersey as the legal guardians of the children. The conferees are concerned about the safety and well-being of the children, who are 3 and 6 years old, and believe they should be returned to the United States without delay.

The conferees commend President Clinton, Secretary of State Christopher, and Attorney General Reno for raising this case directly with King Hussein and urging him to return the children to the United States without delay. The conferees note that members of the New Jersey Congressional delegation have met with King Hussein and di-

rectly urged him to return the children to their grandmother and aunt in New Jersey. The conferees understand that King Hussein has indicated that he is interested in expeditiously resolving this matter and that he believes the children will be returned to America soon. The conferees appreciate the cooperation of the King and expect the children to be returned to America without delay.

The conferees also urge the Government of Jordan to extradite Mohammad Ismail Abequa to the United States for prosecution. SUPPORT FOR HUMAN RIGHTS AND OTHER NONGOVERNMENTAL ORGANIZATIONS IN INDONESIA

Amendment No. 155: Deletes language earmarking funds for organizations in Indonesia.

The conferees recommend that not less than \$250,000 be provided to nongovernmental human rights organizations in Indonesia, and further recommend that not less than \$250,000 be provided to nongovernmental environmental organizations to assess or otherwise address acute environmental problems, particularly those affecting indigenous peoples, in Indonesia.

## NORTH ATLANTIC COUNCIL

Amendment No. 156: Deletes Sense of the Senate language concerning the North Atlantic Council.

## DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA, NUCLEAR WEAPONS

Amendment No. 157: Deletes language proposed by the Senate placing restrictions on assistance to North Korea. The conferees agree instead to include, under Amendment No. 109, North Korea on the list of countries prohibited from receiving bilateral assistance.

The conferees note that North Korea is already on the list of countries prohibited from receiving indirect United States assistance.

## INTERNATIONAL MONETARY FUND AND WORLD BANK SALARIES AND BENEFITS

Amendment No. 158: Inserts language which requires a General Accounting Office report on International Monetary Fund and World Bank salaries and benefits.

## PRISONER TRANSFERS

Amendment No. 159: Deletes language proposed by the Senate withholding between 1 and 10 percent of bilateral assistance to countries that have not entered into prisoner transfer agreements.

The conferees are concerned about the costs associated with incarcerating undocumented persons convicted of crimes. The conferees urge the President to submit a report to the Committees on Appropriations by February 15, 1995, identifying: (1) the number of prisoners serving time in United States prisons from the 10 countries with the largest number of prisoners in the U.S.; (2) the problems that exist with the current prisoner transfer treaties; and (3) the annual cost of incarcerating undocumented persons convicted of crimes in the United States.

## HAITI

Amendment No. 160: Deletes Sense of the Senate language related to policy toward Haiti.

## BALTIC TROOP WITHDRAWAL

Amendment No. 161: Inserts language which prohibits funds made available by this Act for Russia, other than humanitarian assistance funds, from being obligated or expended unless the President has certified to the Congress not more than six months in advance of the obligation or expenditure of



the funds that Russia, Latvia and Estonia have established a timetable for the withdrawal of Russian and Commonwealth of Independent States troops, and that all parties are complying with such timetable. The language also includes a Presidential national security waiver and eliminates Section 568 of this Act addressing the same subject.

#### ADDITIONAL COUNTRIES ELIGIBLE FOR PARTICIPATION IN ALLIED DEFENSE COOPERATION

Amendment No. 162: Deletes Senate language making Poland, Hungary and the Czech Republic eligible for certain assistance provided to NATO members. The conferees note that the NATO Participation Act of 1994, as proposed by the Senate, is designed to send a clear, unambiguous signal to the nations of Central and Eastern Europe that are making swift progress to establish democratic institutions, like Poland, Hungary and the Czech Republic, that their security and stability is of great importance to the United States. These nations are working to expand their security relationship with NATO. These actions contribute significantly to the peace and stability of the region. The conferees urge the Administration to submit legislation consistent with the security interests of the United States at the earliest opportunity to extend the benefits of close cooperation with NATO to Poland, Hungary and the Czech Republic. These benefits should include:

- Transfers of excess defense articles;
- Eligibility for leases and loans of major defense equipment and other defense articles;
- Loan materials, supplies and equipment for research and development;
- Cooperative military airlift agreements;
- Procurement of communications support and related supplies and services; and
- Inclusion in all activities relating to increased standardization of NATO forces.

#### RESTRICTIONS CONCERNING THE PALESTINIAN AUTHORITY

Amendment No. 163: Inserts language restricting funds for office space in Jerusalem related to doing business with the Palestinian Authority, and policy direction concerning the conduct of official business with the Palestinian Authority in locations other than Jerusalem.

#### INTERNATIONAL TERRORISM

Amendment No. 164: Deletes Sense of Senate language concerning providing information and cooperating with victims of international terrorism. The conferees agree that the United States should make every effort feasible to assist victims of international terrorism.

#### REPORT ON BIOLOGICAL AND CHEMICAL WEAPONS

Amendment No. 165: Inserts language requiring the President to report by January 30, 1995 on whether or not Russia has demonstrated a commitment to comply with various chemical and biological weapons agreements.

The conferees expect the report to include both traditional and binary chemical weapons.

#### FISCAL YEAR 1994 SUPPLEMENTAL

Amendment No. 166: Inserts language providing for debt forgiveness for Jordan, and emergency refugee and disaster assistance funds for Rwanda. The amendment also deletes language proposed by the Senate concerning the certification of funds for Colombia.

The world witnessed a momentous event in the search for a just and lasting peace in the

Middle East when King Hussein of Jordan and Prime Minister Rabin of Israel met in Washington during the week of July 25th. The major progress made in the Middle East peace process during the past year has been greatly enhanced by the accord that was signed in Washington on July 25, 1994. In order to help ensure that this progress continues, and to encourage further significant steps in the peace process by Jordan, the conferees have, as proposed by the Administration, included language that provides for the partial reduction of the debt owed by Jordan to the United States.

The conferees agree to authorize the President to forgive debt owed by Jordan to the United States. The conferees agree to include \$99,000,000 in subsidy appropriations in fiscal year 1994 to forgive a portion of the debt owed by the Hashemite Kingdom of Jordan for loans entered into under programs administered by the Agency for International Development. The \$99,000,000 in subsidy appropriations will permit the forgiveness of up to \$220,000,000 in AID debt. The conferees agree to restrict the amount of debt forgiveness in this act to \$220,000,000.

Future debt relief for Jordan will be subject to the amounts provided in advance in appropriation acts.

It is the conferees' understanding that formal budget requests will be submitted for future debt relief for Jordan. In order to obtain broad support for additional budget requests for Jordanian debt relief, there will need to be substantial steps in addition to the courageous and laudable step that has just been taken. Of great importance will be progress on reaching a final peace agreement with Israel, an increase in economic trade that would clarify that Jordan is not abiding by an economic embargo of Israel, and compliance with the United Nations embargo of Iraq, so long as it remains in effect. Positive steps on these issues will be important in facilitating favorable consideration.

#### FISCAL YEAR 1994 EMERGENCY ASSISTANCE FOR RWANDA

In order to help address the emergency situation caused by the tragedy that has taken place in Rwanda the conferees have included a total of \$50,000,000 in emergency refugee and disaster assistance. The sudden influx of refugees into Zaire and other locations bordering Rwanda has caused an emergency that requires an immediate response.

The conferees believe that the United States has been a leader in efforts to assist the people of Rwanda in the midst of one of the greatest human tragedies of this decade. The funding provided in this supplemental will be used to enhance emergency assistance the United States has been providing over the last several months, and to encourage European and other countries to increase their levels of assistance to help address the emergency situation.

The entire amount provided has been designated by the President as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

#### DEPARTMENT OF STATE

##### UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

The amendment provides \$30,000,000 under the United States Emergency Refugee and Migration Assistance Fund to supplement other refugee assistance for Rwanda. The UNHCR estimates that more than 2 million of the 6 million people of Rwanda are either refugees or displaced. The additional fiscal year 1994 funding will enable the United States to respond to urgent appeals from the

United Nations High Commissioner for Refugees and the International Committee of the Red Cross and will also fund efforts by private voluntary organizations to provide humanitarian assistance in the region.

#### AGENCY FOR INTERNATIONAL DEVELOPMENT

##### INTERNATIONAL DISASTER ASSISTANCE

The conferees agree to provide \$20,000,000 for the International Disaster Assistance account administered by the Agency for International Development. This funding will provide humanitarian relief for refugees of hostilities in Rwanda, including medicine and support for medical teams, local food procurement, and assistance to help safely bury refugees who have died of cholera. Assistance will be provided through private voluntary organizations.

#### TITLE CHANGE

The conferees agree to include the Senate amendment changing the title of the bill to clarify that funds are available for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1995, and for other purposes, and for a fiscal year 1994 supplemental, and for other purposes.

#### CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 1995 recommended by the Committee of Conference, with comparisons to the fiscal year 1994 amount, the 1995 budget estimates, and the House and Senate bills for 1995 follow:

New budget (obligational) authority, fiscal year 1994 .....	\$14,342,886,866
Budget estimates of new (obligational) authority, fiscal year 1995 .....	14,024,957,094
House bill, fiscal year 1995 .....	13,615,999,750
Senate bill, fiscal year 1995 .....	13,684,685,750
Conference agreement, fiscal year 1995 .....	13,679,235,750
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1994 .....	-663,651,116
Budget estimates of new (obligational) authority, fiscal year 1995 .....	-345,721,344
House bill, fiscal year 1995 .....	+63,236,000
Senate bill, fiscal year 1995 .....	-5,450,000

DAVID R. OBEY,  
SIDNEY R. YATES,  
CHARLES WILSON,  
JOHN W. OLVER,  
NANCY PELOSI,  
ESTEBAN TORRES,  
NITA M. LOWEY,  
JOSÉ E. SERRANO,  
MARTIN O. SABO,  
BOB LIVINGSTON,  
JOHN PORTER,  
JIM LIGHTFOOT

(except for Jordan debt forgiveness),  
SONNY CALLAHAN

(except for Jordan debt forgiveness),  
JOSEPH M. MCDADE,

*Managers on the Part of the House.*

PATRICK J. LEAHY,  
DANIEL K. INOUE,  
DENNIS DECONCINI,  
FRANK R. LAUTENBERG,  
TOM HARKIN,  
BARBARA A. MIKULSKI,

DIANNE FEINSTEIN,  
ROBERT C. BYRD,  
*Managers on the Part of the Senate.*

# COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, DC,  
August 1, 1994.

Hon. THOMAS S. FOLEY,  
*The Speaker,*

*U.S. House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on Friday, July 29, 1994 at 4:05 p.m. and said to contain a message from the President whereby he transmits the final report on the economic emergency declared on September 30, 1990.

With great respect, I am

Sincerely yours,

DONALD K. ANDERSON,  
*Clerk, U.S. House of Representatives.*

## FINAL REPORT TO CONGRESS IN CONNECTION WITH ECONOMIC EMERGENCY DECLARED ON SEP- TEMBER 30, 1990—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, without objection, referred to the Committee on Foreign Affairs, and ordered to be printed:

*To the Congress of the United States:*

1. On September 30, 1990, in Executive Order No. 12730, President Bush declared a national emergency under the International Emergency Economic Powers Act ("IEEPA") (50 U.S.C. 1701 et seq.) to deal with the threat to the national security and foreign policy of the United States resulting from the lapse of the Export Administration Act of 1979, as amended (50 U.S.C. App. 2401 et seq.), and the system of controls maintained under that Act. In that order, the President continued in effect, to the extent permitted by law, the provisions of the Export Administration Act of 1979, as amended, the Export Administration Regulations (15 C.F.R. 768 et seq.), and the delegations of authority set forth in Executive Order No. 12002 of July 7, 1977, Executive Order No. 12214 of May 2, 1980, and Executive Order No. 12131 of May 4, 1979, as amended by Executive Order No. 12551 of February 21, 1986.

2. President Bush issued Executive Order No. 12730 pursuant to the authority vested in him as President by the Constitution and laws of the United States, including IEEPA, the National Emergencies Act ("NEA") (50 U.S.C. 1601 et seq.), and section 301 of title 3 of the United States Code. At that time,

the President also submitted a report to the Congress pursuant to section 204(b) of the IEEPA (50 U.S.C. 1703(b)). On March 27, 1993, the Export Administration Act was extended through June 30, 1994. Subsequently, on September 30, 1993, I issued Executive Order No. 12867, terminating Executive Order No. 12730.

3. Section 401(c) of the NEA additionally requires the submission of a final report on all expenditures incurred during the period of emergency. This report, covering the period from September 30, 1990, to September 30, 1993, is submitted in compliance with this requirement.

4. The expenses incurred by the Federal Government in the 3-year period from September 30, 1990, to September 30, 1993, that are directly attributable to the exercise of authorities conferred by the declaration of a national emergency with respect to export controls were largely centered in the Department of Commerce, Bureau of Export Administration. Expenditures by the Department of Commerce are estimated to have been \$117,720,000, most of which represented program operating costs, wage and salary costs for Federal personnel, and overhead expenses.

WILLIAM J. CLINTON.

THE WHITE HOUSE, July 29, 1994.

## IF YOU WANT TO PLAY, YOU GOTTA PAY

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, for years America has made threats, threats, threats, threats on trade with Japan, illegal trade. Our trade reps have made more threats than the World Wrestling Federation in all of their wrestlers combined. But our Presidents have too.

President Nixon threatened to send over plumbers, President Ford threatened to send over the University of Michigan football team, President Carter threatened to send over some sort of a peanut monster.

President Reagan, he threatened to send over Ollie North. President Bush, he not only threatened, he got so sick of it he threw up over there.

The truth of the matter is these are not threats, ladies and gentlemen. They have amounted to cerebral constipation, and they stink. Japan is still ripping us off big time, and it is time for President Clinton to act.

Now, he said he is sending over a 60-day notice. I think that notice should be delivered by Arnold Schwarzenegger, not Barney Fife. It is time to tell Japan, ladies and gentlemen, the party is over. If you want to play, you gotta pay. You can't keep ripping off American workers.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. (Mr. FRANK of Massachusetts). Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken at the end of legislative business today, but not before 5 p.m.

## VETERANS' EDUCATION AND TRAINING ACT OF 1994

Mr. MONTGOMERY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4768) to amend title 38, United States Code, to make changes in veterans' education programs, and for other purposes, as amended.

The Clerk read as follows:

H.R. 4768

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

This Act may be cited as the "Veterans' Education and Training Act of 1994".

### SEC. 2. FLIGHT TRAINING.

(a) ACTIVE DUTY PROGRAM.—Section 3034(d) of title 38, United States Code, is amended—

(1) by striking out paragraph (2);

(2) by striking out "(d)(1)" and inserting in lieu thereof "(d)"; and

(3) by redesignating subparagraphs (A), (B), and (C) as paragraphs (1), (2), and (3), respectively.

(b) POST-VIETNAM ERA.—Section 3241(b) of such title is amended—

(1) by striking out paragraph (2);

(2) by striking out "(b)(1)" and inserting in lieu thereof "(b)"; and

(3) by redesignating subparagraphs (A), (B), and (C) as paragraphs (1), (2), and (3), respectively.

(c) RESERVE PROGRAM.—Section 2136(c) of title 10, United States Code, is amended—

(1) by striking out paragraph (2);

(2) by striking out "(c)(1)" and inserting in lieu thereof "(c)"; and

(3) by redesignating subparagraphs (A), (B), and (C) as paragraphs (1), (2), and (3), respectively.

### SEC. 3. TRAINING AND REHABILITATION FOR VETERANS WITH SERVICE-CON- NECTED DISABILITIES.

(a) REHABILITATION RESOURCES.—Section 3115 of title 38, United States Code, is amended—

(1) in subsection (a)(1), by striking "assistance," and inserting in lieu thereof "assistance or any federally recognized Indian tribe,";

(2) in subsection (a)(4), by inserting "any federally recognized Indian tribe," after "contributions,"; and

(3) by adding at the end the following:

"(c) As used in this section, the term 'federally recognized Indian tribe' means any Indian tribe, band, nation, pueblo, or other organized group or community, including any Alaska Native village or regional corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act, which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians."



(b) ALLOWANCES.—Section 3108(c)(2) of such title is amended by inserting "or federally recognized Indian tribe" after "local government agency".

(c) TECHNICAL CORRECTION.—(1) Section 404(b) of the Veterans' Benefits Act of 1992 (106 Stat. 4338) is amended by striking out the period at the end thereof and inserting in lieu thereof ", but shall not apply to veterans and other persons who originally applied for assistance under chapter 31 of title 38, United States Code, before November 1, 1990."

(2) The amendment made by paragraph (1) shall take effect as of October 29, 1992.

#### SEC. 4. ALTERNATIVE TEACHER CERTIFICATION PROGRAMS.

(a) IN GENERAL.—Section 3452(c) of title 38, United States Code, is amended by adding at the end the following: "For the period ending on September 30, 1996, such term includes entities that provide training required for completion of any State-approved alternative teacher certification program (as determined by the Secretary)."

(b) CLARIFYING AMENDMENT.—Section 3002 of title 38, United States Code, is amended by adding at the end thereof the following:

"(8) The term 'educational institution' has the meaning given such term in section 3452(c) of this title."

(c) EFFECTIVE DATE.—The amendments made by this section shall be effective on the date of enactment of this Act.

#### SEC. 5. EDUCATION OUTSIDE THE UNITED STATES.

(a) IN GENERAL.—The first sentence of section 3476 of title 38, United States Code, is amended to read as follows: "An eligible veteran may not enroll in any course offered by an educational institution not located in a State unless that educational institution is an approved institution of higher learning and the course is approved by the Secretary."

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to courses approved on or after the date of the enactment of this Act.

#### SEC. 6. CORRESPONDENCE COURSES.

(a) APPROVAL OF PROGRAMS OF EDUCATION.—(1) Section 3672 of title 38, United States Code, is amended by adding at the end the following:

"(e) A program of education exclusively by correspondence, and the correspondence portion of a combination correspondence-residence course leading to a vocational objective, that is offered by an educational institution (as defined in section 3452(c) of this title) may be approved only if (1) the educational institution is accredited by an agency recognized by the Secretary of Education, and (2) at least 50 percent of those pursuing such a program or course require six months or more to complete the program or course."

(2)(A) Section 3675(a)(2)(B) of such title is amended by striking out "A State" and inserting in lieu thereof "Except as provided in section 3672(e), a State".

(B) Section 3680(a) of such title is amended—

(1) by striking out "; or" at the end of paragraph (3) and inserting in lieu thereof a period; and

(2) by striking out paragraph (4).

(C) Section 3686(c) of such title is amended by striking out "(other than one subject to the provisions of section 3676 of this title)".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to programs of education exclusively by correspondence and to correspondence-

residence courses commencing after 90 days after the date of the enactment of this Act.

#### SEC. 7. STATE APPROVING AGENCIES.

(a) REIMBURSEMENT.—(1) Section 3674(a)(4) of title 38, United States Code, is amended by striking out "\$12,000,000" each place it appears and inserting in lieu thereof "\$13,000,000".

(2) The amendment made by subsection (a) shall apply with respect to services provided under such section after September 30, 1994.

(b) ELIMINATION OF REPORT TO CONGRESS REQUIREMENT.—Section 3674(a)(3) of such title is amended—

(1) by striking out subparagraph (B); and

(2) by striking out "(3)(A)" and inserting in lieu thereof "(3)".

(c) EVALUATION OF AGENCY PERFORMANCE.—Section 3674A(a) of such title is amended by striking out paragraph (3) and redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively.

#### SEC. 8. MEASUREMENT OF COURSES.

Section 3688(b) of title 38, United States Code, is amended—

(1) by striking out "this chapter or" and inserting in lieu thereof "this chapter,"; and

(2) by inserting before the period at the end thereof the following: ", or chapter 106 of title 10".

#### SEC. 9. VETERANS' ADVISORY COMMITTEE ON EDUCATION.

Section 3692 of title 38, United States Code, is amended—

(1) in subsections (a) and (b)—

(A) by striking out "34," both places it appears; and

(B) by striking out "title." and inserting in lieu thereof "title and chapter 106 of title 10," both places it appears; and

(2) in subsection (c), by striking out "1994" and inserting in lieu thereof "2003".

#### SEC. 10. CONTRACT EDUCATIONAL AND VOCATIONAL COUNSELING.

(a) PAYMENT LIMITATION.—Section 3697(b) of title 38, United States Code, is amended by striking out "\$5,000,000" and inserting in lieu thereof "\$6,000,000".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 1994.

#### SEC. 11. SERVICE MEMBERS OCCUPATIONAL CONVERSION AND TRAINING ACT OF 1992.

(a) PERIOD OF TRAINING.—(1) Section 4485(d) of the Service Members Occupational Conversion and Training Act of 1992 (106 Stat. 2759; 10 U.S.C. 1143 note) is amended by striking out "or more than 18 months".

(2)(A) Section 4486(d)(2) of such Act (102 Stat. 2760; 10 U.S.C. 1143 note) is amended by striking out the period at the end thereof and inserting in lieu thereof the following: "in the community for the entire period of training of the eligible person."

(B) The amendment made by subparagraph (A) shall apply with respect to programs of training under the Service Members Occupational Conversion and Training Act of 1992 beginning after the date of enactment of this Act.

(b) PAYMENTS.—Section 4487 of such Act (106 Stat. 2762; 10 U.S.C. 1143 note) is amended—

(1) in subsection (a)(1)—

(A) by striking out "subparagraph (B)" in subparagraph (A) and inserting in lieu thereof "subparagraphs (B) and (C)";

(B) by inserting before the period at the end of subparagraph (A) the following: "but in no event to exceed 18 months (or the equivalent training hours)"; and

(C) by adding at the end thereof the following new subparagraph:

"(C) Assistance may be paid under this subtitle on behalf of an eligible person to that person's employer for training under two or more programs of job training under this subtitle if such employer has not received (or is not due) on that person's behalf assistance in an amount aggregating the applicable amount set forth in subparagraph (B)."; and

(2) in subsection (b)(3), by inserting before the period at the end thereof ", or upon the completion of the 18th month of training under the last training program approved for the person's pursuit with that employer under this subtitle, whichever is earlier".

(c) ENTRY INTO PROGRAM OF JOB TRAINING.—Section 4488(a) of such Act (106 Stat. 2764; 10 U.S.C. 1143 note) is amended by striking out the third sentence thereof and inserting in lieu thereof "The eligible person may begin such program of job training with the employer on the day that notice is transmitted to such official by means prescribed by such official. However, assistance under this subtitle may not be provided to the employer if such official, within two weeks after the date on which such notice is transmitted, disapproves the eligible person's entry into that program of job training in accordance with this section."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Mississippi [Mr. MONTGOMERY] will be recognized for 20 minutes, and the gentleman from Arizona [Mr. STUMP] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Mississippi [Mr. MONTGOMERY].

#### GENERAL LEAVE

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks, and include extraneous material, on the bill, H.R. 4768, and on the next two veterans bills, H.R. 4776 and H.R. 4724, on the schedule.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. MONTGOMERY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, before I explain the major provisions of the bill, I want to thank the ranking minority member of my Subcommittee on Education, Training and Employment, the gentleman from Arkansas [Mr. HUTCHINSON], for his help and cooperation on this bill and the next veterans bill on the schedule.

I also want to thank the ranking minority member of the committee, Mr. STUMP, for his cooperation on all of the veterans bills we will consider today.

Mr. Speaker, H.R. 4768 would make permanent the flight training program which was originally established as a 5-year pilot program and is due to expire on October 1.

The bill would authorize a 2-year pilot program for State-approved, alternative teacher certification.

The State of Texas is a leader in utilizing alternative teacher certification programs that are helpful to former

servicemembers entering the teaching profession. The bill would give VA authority to approve these programs for GI bill benefits.

I want to thank our colleague, FRANK TEJEDA, for working with us on this part of the bill. It was his idea.

The bill would extend the expiration date of the Veterans' Advisory Committee on Education to the year 2003; and it would increase the level of funding available for veterans' educational and vocational counseling services provided by contract from \$5 to \$6 million.

Thousands of veterans who request counseling are being turned away because of inadequate funds. Although we would like to provide a larger increase, this additional funding will be very helpful.

Mr. Speaker, I want to thank my good friend, the gentleman from California [Mr. DELLUMS], chairman of the Armed Services Committee, and Mr. SPENCE of South Carolina, the ranking minority member of that committee, for their cooperation on the title 10 provisions of the bill.

Mr. Speaker, I urge my colleagues to support this important measure.

Mr. STUMP. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to comment the gentleman from Mississippi [Mr. MONTGOMERY], chairman of the full Veterans' Affairs Committee and also the Subcommittee on Education, Training and Employment, as well as the gentleman from Arkansas [Mr. HUTCHINSON], the ranking minority member of the subcommittee. They have worked together very effectively in developing this bipartisan legislation and in bringing it through the committee and to the House.

Mr. Speaker, I urge my colleagues to act favorably on H.R. 4768.

Mr. Speaker, I would like to highlight two of the provisions of H.R. 4768.

This bill would authorize the first increase in funding for State approving agencies [SAA's] since 1989. After holding the line for 5 years, an increase from \$12 to \$13 million seems entirely reasonable, especially in light of the increased SAA workload in reviewing and approving courses offered by educational institutions for enrollment by veterans using their GI bill education benefits.

Also, this bill would authorize a greatly needed increase in funding for VA contract educational and vocational counseling. Funding, now capped at \$5 million, would be raised to \$6 million. The military drawdown is overwhelming the VA's ability to provide essential educational and vocational counseling needed to help disabled veterans get schooling and special job training and then return to work. An expanded contracting ability will help keep the VA from falling further behind and hopefully, the VA can begin to close the gap between demand and available services.

Finally, Mr. Speaker, I wish to note that the Veterans' Affairs Committee has a history of fiscal responsibility and does not propose legislation for which there is no money or which violates the Budget Act. The \$4 million cost of H.R. 4768 will be more than covered by savings in H.R. 4386, the Veterans' Persian Gulf War Benefits Act of 1994, which I expect will be considered by the House before the recess later this month.

Mr. Speaker, I yield such time as he may consume to the gentleman from Arkansas [Mr. HUTCHINSON].

Mr. HUTCHINSON. Mr. Speaker, I rise today to join my colleague, the gentleman from Kansas [Mr. SLATTERY] in support of H.R. 4768, the Education and Training Act of 1994.

I am particularly pleased to note that the bill contains increased authorization both for the maximum amount made available to State approving agencies as well as for the level of funding made available for veterans' educational and vocational counseling services. These services have been crucial in enabling our country to deal effectively with the downsizing of our Armed Forces. H.R. 4768 also helps to provide our newly separated servicemembers with the necessary job training to enable our veterans to attain high quality civilian jobs through extended training periods.

I would also like to quickly point out that the costs incurred by this bill will be more than met with savings from H.R. 4386, the Persian Gulf War Veterans' Benefits Act.

So, Mr. Speaker, I am very glad to be able to rise in support of this legislation and to recognize that these costs incurred are more than offset in other veterans legislation.

Mr. GILMAN. Mr. Speaker, I am honored to rise in support of H.R. 4768, the Veterans Education and Training Act. I wish to thank my distinguished colleague from Mississippi, Mr. MONTGOMERY, for introducing this bill. I commend the Committee on Veterans' Affairs and the Committee on Armed Services for working together to formulate this worthwhile legislation that will positively affect our Nation's servicemen and women. Through the skilled leadership of both the chairman of the Veterans' Affairs Committee, and the ranking minority member, my colleague from Arizona, Mr. STUMP, continued attention has been shown to addressing the issues that affect our Nation's veterans.

Mr. Speaker, the Veterans Education and Training Act makes 10 revisions to several department of veterans [VA] education programs. These revisions extend the opportunity for education and training to veterans who have served in defending the freedom of our great Nation.

This legislation increases the maximum amount available to State approving agencies, agencies that review and certify educational programs for veterans, from \$12 to \$13 million. This measure is crucial in ensuring that our Nation's veterans are provided with the

opportunity to gain the skills and training that are required to be competitive in today's society.

The Veterans Education and Training Act also requires that wages and benefits paid to veterans under the Service Members Occupational and Training Program [SMOTCA] are not to be less than benefits paid to other employees participating in similar training programs in the community. This aspect of the legislation provides veterans with equal benefits for equal training.

This measure is vital. We must assist these veterans who have so valiantly served our country. By approving this legislation today, we will enable them to obtain the skills and education that are necessary for success in today's competitive market.

The sacrifices that our Nation's veterans have made for our great Nation are immeasurable. Accordingly, I urge my colleagues to join me in supporting this worthwhile legislation.

Mr. STUMP. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. MONTGOMERY. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore [Mr. FRANK of Massachusetts]. The question is on the motion offered by the gentleman from Mississippi [Mr. MONTGOMERY] that the House suspend the rules and pass the bill, H.R. 4768, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended, and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### VETERANS' EMPLOYMENT ACT OF 1994

Mr. MONTGOMERY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4776) to amend title 38, United States Code, to improve veterans' employment programs, and for other purposes.

The Clerk read as follows:

H.R. 4776

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Veterans' Employment Act of 1994".

#### SEC. 2. JOB COUNSELING, TRAINING, AND PLACEMENT.

(a) DEPUTY ASSISTANT SECRETARY OF LABOR FOR VETERANS' EMPLOYMENT AND TRAINING.—(1) Section 4102A(a) of title 38, United States Code, is amended—

(A) by striking out "(1)" and "(2)" and inserting in lieu thereof "(A)" and "(B)", respectively;

(B) by inserting "(1)" after "(a)"; and

(C) by adding at the end the following:

"(2) There shall be within the Department of Labor a Deputy Assistant Secretary of Labor for Veterans' Employment and Training. The Deputy Assistant Secretary shall perform such functions as the Assistant Secretary of Labor for Veterans' Employment



and Training prescribes. The Deputy Assistant Secretary shall be a veteran, and the position of Deputy Assistant Secretary shall be a career reserved position, as defined in section 3132(a)(8) of title 5."

(2) The amendment made by paragraph (1) shall apply with respect to a vacancy occurring in the position of Deputy Assistant Secretary of Labor for Veterans' Employment and Training after the date of enactment of this Act.

(b) DVOP SPECIALISTS COMPENSATION RATES.—Section 4103A(a)(1) of such title is amended by striking out "a rate not less than the rate prescribed for an entry level professional" and inserting in lieu thereof "rates comparable to those paid other professionals".

(c) SPECIAL UNEMPLOYMENT STUDY.—Section 4110A(a) of such title is amended—

(1) by striking out "disabled veterans and" and inserting in lieu thereof "disabled veterans,";

(2) by inserting ", veterans who served on active duty after the Vietnam era, and veterans discharged or released from active duty within four years of the applicable study" after "Vietnam era"; and

(3) by adding at the end the following: "For each of the classifications of veterans referred to in the previous sentence, such studies shall include a category for women who are veterans."

#### SEC. 3. EMPLOYMENT AND TRAINING OF VETERANS.

(a) FEDERAL CONTRACTS.—Section 4212 of title 38, United States Code, is amended—

(1) in subsection (a)—

(A) by striking out "disabled veterans and veterans" in the first sentence and inserting in lieu thereof "disabled veterans, veterans";

(B) by inserting the following before the period at the end of the first sentence: ", and veterans who served on active duty in the Armed Forces during a war in a campaign or expedition for which a campaign badge has been authorized"; and

(C) by striking out "suitable" in clause (1); and

(2) in subsection (d)(1)—

(A) by striking out "who are veterans of the Vietnam era or special disabled veterans" in subparagraph (A) and inserting in lieu thereof "and the number of such employees, by job category and hiring location, who are veterans described in subsection (a)"; and

(B) by striking out "who are veterans of the Vietnam era or special disabled veterans" in subparagraph (B) and inserting in lieu thereof "who are veterans described in subsection (a)".

(b) ELIGIBILITY REQUIREMENTS FOR VETERANS UNDER FEDERAL EMPLOYMENT AND TRAINING PROGRAMS.—Clause (3) of section 4213 of such title is amended—

(1) by inserting "30," after "13,";

(2) by striking out "34,"; and

(3) by inserting "and any amounts received by an eligible person under chapter 106 of title 10," after "title,".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Mississippi [Mr. MONTGOMERY] will be recognized for 20 minutes, and the gentleman from Arizona [Mr. STUMP] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Mississippi [Mr. MONTGOMERY].

Mr. MONTGOMERY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 4776 would improve veterans employment programs in the

Department of Labor. The bill would make the position of Deputy Assistant Secretary of Labor for Veterans' Employment and Training a career reserved position. Within the Department of Veterans Affairs, two-thirds of the Deputy Assistant Secretary positions are required to be filled by career civil servants. These individuals bring invaluable executive branch and program experience that greatly assist in program administration and the policymaking process. This experience and expertise will similarly benefit the development and administration of veterans' employment and training programs in the Department of Labor.

The bill would require that Disabled Veterans' Outreach Program specialists—known as D-VOPS—be compensated at rates comparable to those paid to other professionals.

The bill would also include veterans who served on active duty after the Vietnam era, recently discharged veterans, and women veterans, in the 2-year study conducted by the Bureau of Labor Statistics to determine unemployment among veterans. It is particularly important that we have improved statistical information regarding the employment needs of women veterans. This bill will make certain that this is done.

Mr. Speaker, the provisions contained in this bill will strengthen the employment programs for veterans as administered by the Department of Labor. At a time when many servicemembers are being discharged, this assistance is very important.

Mr. Speaker, I urge my colleagues to support this important legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. STUMP. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, our distinguished committee chairman, the gentleman from Mississippi, SONNY MONTGOMERY, and our distinguished ranking minority member of the Subcommittee on Education, Training and Employment, the gentleman from Arkansas, TIM HUTCHINSON, have also produced an excellent bill in H.R. 4776. I commend their work on this legislation as well.

H.R. 4776 deserves the support of every Member of the House and I urge its favorable consideration.

Mr. Speaker, among other provisions, H.R. 4776 would enhance access for veterans to all Federal contractor jobs. The bill would also make careers as Disabled Veterans' Outreach Program [DVOP] specialists more attractive by offering more competitive compensation for many of them. Thus, the disabled veterans who fill the DVOP specialist positions in State employment agencies would have the possibility of better pay, and the disabled veterans they serve would have the benefit of a higher experience level among DVOP specialists due to improved retention.

Mr. Speaker, I yield such time as he may consume to the gentleman from Arkansas [Mr. HUTCHINSON].

Mr. HUTCHINSON. Mr. Speaker, I want to commend the gentleman from Mississippi [Mr. MONTGOMERY] for the outstanding leadership that he has given to our Committee on Veterans' Affairs as a whole, particularly on these issues regarding veterans' employment, and I also would like to commend the gentleman from Arizona [Mr. STUMP] for the outstanding leadership that he has provided the Members of our side of the aisle.

Therefore, Mr. Speaker, I am glad to rise in support of H.R. 4776, the Veterans Employment Act of 1994. I am especially pleased with the requirement that Federal contractors must list all the openings associated with their Federal contract with the Appropriate Local Employment Service Office. It is important that we take every step possible to ensure that our veterans are contacted and made aware of all employment opportunities available to them. I think H.R. 4776 helps to accomplish this goal.

Mr. Speaker, I am glad to be able to support this legislation.

Mr. STUMP. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. MONTGOMERY. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, I would like to compliment the gentleman from Arkansas [Mr. HUTCHINSON] for the close work we have had in our subcommittee, and also the gentleman from Arizona [Mr. STUMP] for his work. I also would like to thank the Chair for speeding along this process. We work very well together.

Mr. GILMAN. Mr. Speaker, I am honored to rise in support of H.R. 4776, the Veteran's Employment Act of 1994. I wish to thank the distinguished chairman, the gentleman from Mississippi [Mr. MONTGOMERY], for introducing this bill. Through his leadership as the chairman of the Committee on Veterans' Affairs, he, and the ranking minority member, the gentleman from Arizona [Mr. STUMP], have ensured that our Nation's veterans receive the benefits and the services they deserve.

Mr. Speaker, H.R. 4776 will make five non-controversial revisions to the Department of Veterans Affairs' employment programs. These amendments to the employment programs will provide fair and necessary benefits for those brave men and women who have served our country.

The Veteran's Employment Act of 1994 will designate the Deputy Assistant Secretary of Labor for Veterans' Employment and Training as a permanent position. The act will also require that veterans who served on active duty after Vietnam, are recently discharged, or are women, are included in the biennial veteran employment studies conducted by the Bureau of Labor Statistics.

I fully support this legislation, as I believe it will provide essential employment opportunities for our Nation's service men and women. H.R. 4776 requires that disabled veterans' outreach program specialists [DVOP's] be compensated at rates comparable to the private

sector. Under this legislation, it will be mandatory for Federal contractors to take affirmative action to employ disabled veterans, Vietnam veterans, and veterans with active duty service during a war, or campaign, for which a campaign badge has been authorized. In addition, Federal contractors will be required to post all openings associated with the Federal contracts with local employment service offices.

It is imperative that those who work to protect and defend our country receive the employment opportunities and the benefits they deserve. I urge my colleagues to support the Veteran's Employment Act of 1994. This legislation makes vital revisions that will benefit our Nation's service members, who through their brave service, have given so much to our great country. I believe H.R. 4776 to be a necessary measure to support our Nation's veterans.

Mr. MONTGOMERY. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi [Mr. MONTGOMERY] that the House suspend the rules and pass the bill, H.R. 4776.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### VETERANS' HOUSING AMENDMENTS OF 1994

Mr. MONTGOMERY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4724) to amend title 38, United States Code, relating to veterans housing programs, and for other purposes.

The Clerk read as follows:

H.R. 4724

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. ELIGIBILITY.

(a) RESERVISTS DISCHARGED BECAUSE OF A SERVICE-CONNECTED DISABILITY.—Section 3701(b)(5)(A) of title 38, United States Code, is amended—

(1) by inserting "(1)" before "who has"; and  
(2) by striking out the period at the end thereof and inserting in lieu thereof ", or (1) who was discharged or released from the Selected Reserve before completing 6 years of service because of a service-connected disability."

(b) SURVIVING SPOUSES OF RESERVISTS WHO DIED WHILE IN ACTIVE MILITARY, NAVAL, OR AIR SERVICE.—The second sentence of section 3701(b)(2) of such title is amended—

(1) by inserting "or service in the Selected Reserve" after "duty" each place it appears; and

(2) by striking out "spouse shall" and inserting in lieu thereof "deceased spouse shall".

#### SEC. 2. PUBLIC AND COMMUNITY WATER AND SEWERAGE SYSTEMS.

Section 3704 of title 38, United States Code, is amended—

(1) by striking out subsection (e); and  
(2) by redesignating subsections (f) and (g) as subsections (e) and (f), respectively.

#### SEC. 3. REFINANCING LOANS.

(a) AUTHORITY TO GUARANTEE HOME REFINANCE LOANS FOR ENERGY EFFICIENCY IMPROVEMENTS.—

(1) LOANS.—(A) Section 3710(a) of title 38, United States Code, is amended by adding after paragraph (10) the following:

"(11) To refinance in accordance with subsection (e) of this section an existing loan guaranteed, insured, or made under this chapter, and to improve the dwelling securing such loan through energy efficiency improvements, as provided in subsection (d) of this section."

(B) Section 3710(e)(1) of such title is amended by inserting "or subsection (a)(11)" after "subsection (a)(8)".

(2) FEE.—Section 3729(a)(2)(E) of such title is amended by inserting "3710(a)(11)," after "3710(a)(9)(B)(i)."

(b) REFINANCING ADJUSTABLE RATE MORTGAGES TO FIXED RATE MORTGAGES.—Section 3710(e)(1)(A) of such title is amended—

(1) by inserting "(1)" after "(A)";  
(2) by inserting "or" at the end of clause (1), as designated by paragraph (1) of this subsection; and

(3) by adding after such clause (1), the following:

"(1) the loan bears interest at a fixed rate that is agreed upon by the veteran and the mortgagee, and the loan being refinanced is an adjustable rate loan."

#### SEC. 4. MANUFACTURED HOME LOAN INSPECTIONS.

(a) CERTIFICATION OF CONFORMITY WITH STANDARDS.—Section 3712(h) of title 38, United States Code, is amended by amending paragraph (2) to read as follows:

"(2) Any manufactured housing unit properly displaying a certification of conformity to all applicable Federal manufactured home construction and safety standards pursuant to section 616 of the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5415) shall be deemed to meet the standards required by paragraph (1) of this subsection."

(b) REPEAL OF INSPECTION REQUIREMENTS.—Section 3712(j) of such title is amended—

(1) by striking out "refuses to permit the inspections provided for in subsection (h) of this section; or in the case of manufactured homes which are determined by the Secretary not to conform to the aforesaid standards; or where the manufacturer of manufactured homes"; and

(2) by striking "warranty" and inserting in lieu thereof "warranty; in the case of manufactured homes which are determined by the Secretary not to conform to the standards provided for in subsection (h) of this section; or in the case of a manufacturer who has engaged in procedures or practices determined by the Secretary to be unfair or prejudicial to veterans or the Government."

(c) ELIMINATION OF REPORTING REQUIREMENT.—Section 3712(l) of such title is amended—

(1) by striking out "the results of inspections required by subsection (h) of this section,"; and

(2) by striking out "section, and" and inserting in lieu thereof "section and".

#### SEC. 5. PROCEDURES ON DEFAULT.

(a) IN GENERAL.—Paragraph (7) of section 3732(c) of title 38, United States Code, is amended—

(1) by striking out "that was the minimum amount for which, under applicable State law, the property was permitted to be sold at the liquidation sale" in the matter preceding subparagraph (A);

(2) by striking out "the Secretary may accept conveyance of the property to the United

States for a price not exceeding" and inserting in lieu thereof "(1) the amount was the minimum amount for which, under applicable State law, the property was permitted to be sold at the liquidation sale, the holder shall have the option to convey the property to the United States in return for payment by the Secretary of an amount equal to";

(3) by striking out "and" at the end of clause (1), as so designated by paragraph (2), and inserting in lieu thereof "or";

(4) by adding after such clause (1) the following:

"(ii) there was no minimum amount for which the property had to be sold at the liquidation sale under applicable State law, the holder shall have the option to convey the property to the United States in return for payment by the Secretary of an amount equal to the lesser of such net value or total indebtedness; and"; and

(5) in subparagraph (B), by striking out "paragraph (6)(B)" and inserting in lieu thereof "paragraph (6)".

(b) CONFORMING AMENDMENT.—Paragraph (6) of such section is amended—

(1) by striking out "either"; and

(2) by striking out "sale or acquires" and all that follows through "(B) the" and inserting in lieu thereof "sale, the".

#### SEC. 6. MINIMUM ACTIVE-DUTY SERVICE REQUIREMENT.

Section 5303A(b)(3) of title 38, United States Code, is amended—

(1) by striking out "or" at the end of subparagraph (E);

(2) by striking out the period at the end of subparagraph (F) and inserting in lieu thereof "; or"; and

(3) by inserting after subparagraph (F) the following:

"(G) to benefits under chapter 37 of this title by reason of discharge or release from active duty as a result of a reduction in force, as determined by the Secretary of the military department concerned in accordance with regulations prescribed by the Secretary of Defense or by the Secretary of Transportation with respect to the Coast Guard when it is not operating as a service in the Navy."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Mississippi [Mr. MONTGOMERY] will be recognized for 20 minutes, and the gentleman from Arizona [Mr. STUMP] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Mississippi [Mr. MONTGOMERY].

Mr. MONTGOMERY. Mr. Speaker, I yield myself such time as I may consume.

Before yielding to the distinguished gentleman from Illinois [Mr. SANGMEISTER], chairman of the Subcommittee on Housing and Memorial Affairs, to explain the bill, Mr. Speaker, I wanted to say how much we will miss him when he leaves the Congress at the end of this session. The committee will be losing one of our outstanding Members, and veterans will be losing one of their greatest supporters.

Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois [Mr. SANGMEISTER].

Mr. SANGMEISTER. Mr. Speaker, I would like to thank and commend the gentleman from Mississippi [Mr. MONTGOMERY], the chairman of the full committee, for his distinguished leadership



and his strong support of this measure. I would also like to thank the gentleman from Arizona [Mr. STUMP] and the gentleman from Indiana [Mr. BURTON], the ranking minority members of the full committee and the subcommittee, for their efforts and support. The individual members of the subcommittee worked hard as a team to develop this legislation, and I would like to thank each of them for their excellent contributions. A detailed explanation of the bill follows:

**LOAN GUARANTY ELIGIBILITY FOR RESERVISTS DISCHARGED BECAUSE OF A SERVICE-CONNECTED DISABILITY**

Mr. Speaker, H.R. 4724 would waive the 6-year minimum service requirement for reservists discharged because of a service-connected disability. Loan guaranty eligibility is currently authorized for veterans who are discharged from active duty for a service-connected disability. This provision grants similar eligibility for reservists.

Public Law 102-547 added a new section 3702(a)(2)(E) to title 38, United States Code, and thereby extended loan guaranty eligibility to veterans whose only service was in the Reserves or National Guard. The definition of veteran in 38 U.S.C. 3701(b) now includes an individual who has completed total service of at least 6 years in the Selected Reserve and, following the completion of such service, received an honorable discharge, was transferred to the Standby or Ready Reserve, or continues to serve in the Selected Reserve. 38 U.S.C. 3702(a)(2)(B) provides loan guaranty eligibility for veterans who are discharged from active duty for a service-connected disability. As I stated previously, there is no similar provision provided for reservists who are discharged because of a service-connected disability prior to completing the required 6 years of reservist service.

H.R. 4724 would correct this disparity in loan guaranty benefits eligibility between active duty veterans discharged because of service-connected disabilities and reservists discharged because of service-connected disabilities. This would be accomplished by amending 38 U.S.C. 3701(a) to extend eligibility for VA loan guaranty benefits to individuals discharged from the Selected Reserve prior to completion of 6 years' service because of a service-connected disability.

**LOAN GUARANTY ELIGIBILITY FOR SURVIVING SPOUSES OF RESERVISTS WHO DIED WHILE ON ACTIVE DUTY OR FROM SERVICE-CONNECTED DISABILITIES**

Mr. Speaker, H.R. 4724 would provide loan guaranty eligibility for surviving spouses of reservists who died on active military, naval, or air service on the same basis as a surviving spouse of any veteran who died in the active military, naval, or air service or who died of a service-connected disability.

The definition of veteran in 38 U.S.C. 3701(b) includes the surviving spouse of

any veteran who died in the active military, naval, or air service or who died from a service-connected disability. There is no similar provision provided for surviving spouses of reservists who die while on reserve duty or as a result of a service-connected disability.

H.R. 4724 would correct this disparity in loan guaranty benefits eligibility between surviving spouses of active duty veterans and surviving spouses of reservists. This would be accomplished by amending 38 U.S.C. 3701(a) to extend eligibility for VA loan guaranty benefits to surviving spouses of reservists who die while on reserve duty or as a result of service-connected disabilities.

**REPEAL OF REQUIREMENT FOR A STATEMENT OF LOCAL OFFICIALS REGARDING WATER AND SEWERAGE SYSTEMS**

Mr. Speaker, H.R. 4724 would permit the VA to guarantee newly constructed residences in areas not served by public or community waste and sewerage systems if individual water and sewage disposal systems meet Federal, State, and local requirements.

Currently, 38 U.S.C. 3704(e) prohibits VA from guaranteeing a loan for a newly constructed residence in areas where local officials certify that the establishment of public or community water and sewerage systems is economically feasible unless the dwelling is served by such a system. If a new property uses well water or septic tank, and the local officials certify a public system is feasible, VA may not approve the loan.

H.R. 4724 would repeal 38 U.S.C. 3704(e). Since the enactment of this subsection in 1965, conditions have changed significantly. Federal, State, and local laws now adequately cover the subject of individual water and sewage disposal systems as an alternative to public and community systems. This is also an area in which the Environmental Protection Agency, which did not exist in 1965, has some authority.

For the most part, the certification requirement is a paperwork exercise. The statute places a burden on local community officials, program participants, and VA without materially benefiting the veteran.

**AUTHORITY TO GUARANTEE ENERGY EFFICIENCY IMPROVEMENTS IN INTEREST RATE REDUCTION REFINANCING LOANS**

Mr. Speaker, H.R. 4724 would authorize the VA to include in interest rate reduction refinancing loans an additional amount for energy efficiency improvements.

Public Law 102-547 amended 38 U.S.C. 3710 to authorize the VA to include the cost of energy efficiency improvements in VA loans up to \$6,000. As of June 1994, 915 loans have been guaranteed under this program. Energy improvement costs may not be included, however in interest rate reduction refinancing loans. Such interest rate re-

duction loans typically do not involve an income verification or property appraisal because the effect is to reduce the veteran's payments under an existing loan. Hundreds of thousands of veterans have refinanced their VA-guaranteed loans during the past 2 years in order to reduce their interest rates, but were unable to take advantage of the energy efficiency program.

H.R. 4724 would permit the cost of energy efficiency improvements to be included in a loan refinanced for the purpose of reducing the interest rate. While the committee recognizes that adding the cost of energy improvements may increase the amount of the loan in relation to the value of the property, it believes that any increased risk from an increase in the loan-to-value ratio would be slight and would be offset to a significant degree by the reduced payments resulting from lower interest rates.

The bill would add an exception for the cost of energy efficiency improvements to the maximum amount that can be borrowed in a loan refinance as now provided in 38 U.S.C. 3710(e)(1)(C).

**LOANS TO REFINANCE ADJUSTABLE RATE MORTGAGES TO FIXED RATE MORTGAGES**

Mr. Speaker, H.R. 4724 would permit the conversion of an adjustable rate mortgage to a fixed rate mortgage despite the higher interest rate on the fixed rate mortgage.

Under the provisions of 38 U.S.C. 3710(a)(8), VA guarantees loans to assist veterans in reducing their mortgage interest rates. These loans, referred to as interest rate reduction refinancing loans, are made with no additional charge against the veteran's entitlement, with the primary requirement being that the interest rate on the new loan must be less than the interest rate on the loan being refinanced.

A difficulty has arisen in applying this authority to cases involving veterans who are attempting to refinance adjustable rate mortgages with fixed rate mortgages. It often occurs that the current interest rate on the adjustable rate mortgage is less than the rate on the fixed rate mortgage. During periods of low-interest rates, it would be beneficial over the long term for the veteran to refinance to a fixed rate loan, even though the short-term cost may be higher. Current law prevents the veteran from obtaining an interest rate reduction refinancing loan for this purpose.

H.R. 4724 would correct this inequity by permitting veterans to obtain interest rate reduction loans to convert from an adjustable rate mortgage to a fixed rate mortgage whenever the veteran considers it advantageous to do so. These loans would continue to be made under the provisions of 38 U.S.C. 3710(e) which limit the new loan amount to the outstanding balance of the loan to be refinanced plus closing costs and a discount.

REPEAL OF CERTAIN REQUIREMENTS PERTAINING TO VA LOAN GUARANTY MANUFACTURED PURCHASES WITH A VA GUARANTEED LOAN

Mr. Speaker, H.R. 4724 would provide that any manufactured home properly displaying a certificate of conformity with all applicable Federal manufacturing standards would be eligible for purchase with VA financing.

Currently 38 U.S.C. 3712(h)(2) requires VA to make inspections of the manufacturing process of manufactured homes and to perform random on-site inspections of manufactured homes purchased with a VA guaranty. The purpose of the inspections of manufacturing plants is to comply with 38 U.S.C. 3712(h)(1) which states that no loan for the purchase of a manufactured home may be guaranteed by VA unless the manufactured home meets or exceeds the standards for planning, construction, and general acceptability prescribed by the Secretary. The on-site inspections were mainly required to judge the effectiveness of the manufactured home loan program. It should be noted, however, that in 1994 only 25 manufactured home loans had been guaranteed as of June.

The bill would amend 38 U.S.C. 3712(h) to provide that any manufactured home bearing a seal pursuant to 42 U.S.C. 5415, indicating that it was built in compliance with Federal manufacturing standards established by the Department of Housing and Urban Development [HUD], may be purchased with a VA guaranteed loan. The reported bill would also repeal 38 U.S.C. 3712(h)(2) and 3712(1), which requires an annual report to Congress on the results of these inspections and compliance with HUD warranty requirements.

It should also be noted that in carrying out the purposes of 38 U.S.C. 3712(h), VA has administratively adopted the safety and manufacturing standards issued by the Secretary of Housing and Urban Development pursuant to the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. 5401-5426. In compliance with 38 U.S.C. 3712(h)(2)(B), VA has delegated to HUD the responsibility for inspection of manufactured home plants.

Mr. Speaker, according to the Department of Veterans Affairs, HUD inspections are sufficient to insure that new manufactured homes sold to veterans are properly built, and no loans for the purchase of a manufactured home bears a seal indicating it was manufactured in accordance with HUD standards. VA therefore contends that the on-site inspections are necessary, and any inspections by VA of manufactured home processing would be duplicative of the HUD inspections. The inspections required by subsection (h) are reported to Congress by HUD. The experience with compliance with the sub-

section 3712(i) warranty is a matter which should be reported to HUD by the unit owner in accordance with instructions in the owners manual which manufacturers are required to provide with each unit.

PERMIT VA TO ACCEPT FORECLOSED PROPERTY NOTWITHSTANDING OVERBID

Mr. Speaker, H.R. 4724 would permit the VA to accept conveyance of a foreclosed property from a loan holder not withstanding the holder's overbid at the liquidation sale.

Under 38 U.S.C. 3732(c), when a VA guaranteed loan is in default, VA must compute the net value of the security property. "Net value" means the fair market value of the property, less the amounts VA would need to pay for holding and disposing of the property. If the net value of the property exceeds the total indebtedness minus the amount of VA's guaranty, the holder generally has the election of conveying the property to VA if the holder acquired the property at the foreclosure sale for the lesser of the net value of the property or the total indebtedness. The lesser of net value or total debt is often referred to as the specified amount or upset price.

The VA makes all of these calculations and notifies the holder of the specified amount in advance of the foreclosure sale. If the holder's bid exceeds the specified amount, even by \$1, the VA may not acquire the property from the foreclosing loan holder under 38 U.S.C. 3732(c)(6). The reported bill would permit VA to acquire a property at the specified amount, whenever VA specifies an amount, without regard to any overbid by the loan holder.

Overbids often result from miscommunication among VA, the loan holder, and its counsel. When VA specifies an amount, VA has determined it is economically advantageous to the Government to acquire the property. Under the provisions of this bill, for property acquisition purposes only, VA could ignore the overbid and acquire the property for the same terms as though the overbid did not occur.

AMENDMENT OF MINIMUM ACTIVE-DUTY SERVICE REQUIREMENT FOR LOAN GUARANTY BENEFITS

Lastly, Mr. Speaker, H.R. 4724 would waive the 2-year minimum service requirement for loan guaranty benefits for servicemembers who were released from active duty due to a reduction in force.

To be eligible for loan guaranty benefits based on active duty, an individual must qualify under the provisions of 38 U.S.C. 3702, which generally requires 90 days service in time of war 180 days of peacetime service. In addition, 38 U.S.C. 5303A requires that, for persons who enlisted after September 7, 1980, or officers who entered active duty after October 16, 1981, the individual generally must complete the shorter of 24 months of continuous active duty or the full period for which called or or-

dered to active duty. The exceptions are for persons discharged or released for a disability, or for a hardship under 10 U.S.C. 1173, or for the convenience of the Government under section 10 U.S.C. 1171.

The minimum active-duty service requirements of 38 U.S.C. 5303A were added to the law at a time when the Armed Forces were having a great deal of difficulty in recruiting and retaining a sufficient number of qualified personnel. However, the Defense Department has begun a multiyear drawdown in the number of Armed Forces personnel, which has had the effect of veterans being honorably discharged prior to completion of either 24 months or the full period for which called. In these cases, the affected veterans are being discharged before they become eligible for loan guaranty benefits under current law.

In light of current Department of Defense programs offering incentives to persons who agree to leave the Armed Forces early, it would be appropriate to update the provisions of 38 U.S.C. 5303A. Equitable considerations would dictate that veterans discharged early as a result of downsizing should not forfeit the loan guaranty eligibility to which they would have become entitled had they been allowed to complete their contract. Present law also involves the administrative burden of determining whether or not a discharge for the convenience of the Government was in fact issued under the authority of 10 U.S.C. 1171. The DD Form 214 issued to the veteran in these cases is frequently silent on this issue.

H.R. 4724 would amend 38 U.S.C. 5303A to clarify that the exception to the minimum service requirement for loan guaranty benefits is available to persons who failed to meet the 24-month minimum active-duty service requirements because of a reduction in force.

Mr. Speaker, this bill, at very little cost to the Government would extend VA no-downpayment loan eligibility to hundreds of veterans and their dependents who have never before been entitled. The Congressional Budget Office estimates that the bill would affect direct spending by less than \$500,000 a year.

I think this is a good bill, and I strongly urge its favorable consideration by the House.

□ 1220

Mr. STUMP. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I, too, would like to thank the gentleman from Illinois [Mr. SANGMEISTER]. He has been a pleasure to work with, and from this side of the aisle we want him to know we wish him the very best in his retirement, and we thank him for his hard work on behalf of the veterans.

Mr. Speaker, I support H.R. 4724, a bill to enhance veterans' housing programs. The bill would extend home



loan guaranty benefits to members of the Selected Reserves, eliminate redundant and outdated VA reporting requirements, and permit inclusion of energy efficiency improvements in an interest rate reduction refinancing loan.

The bill also gives the VA the authority to correct bidding errors due to a miscommunication at the foreclosure sale.

In whole, these provisions improve the Home Loan Guaranty Program and make sound business sense.

Mr. Speaker, I wish to thank my good friend, **SONNY MONTGOMERY**, chairman of the Veterans' Affairs Committee, for his consideration of this matter.

In addition, I wish to recognize the gentleman from Illinois [Mr. **SANGMEISTER**], chairman of the Subcommittee on Housing and Memorial Affairs, and the gentleman from Indiana [Mr. **BURTON**], the subcommittee's ranking member for their leadership on this measure.

Mr. Speaker, I recommend that the bill be passed.

Mr. **MONTGOMERY**. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, I also want to thank the ranking minority member, the gentleman from Indiana [Mr. **BURTON**], for his work on this subcommittee, and I am grateful also to the gentleman from Arizona [Mr. **STUMP**] for his cooperation on the bill.

Mr. Speaker, this really makes it easier for veterans, as well as Reservists, to get home loans. That is what it is all about, to help these veterans and help these Reservists.

Mr. Speaker, it has been a pleasure working with the members of the committee, and I hope all the Members will support this legislation.

Mr. **GILMAN**. Mr. Speaker, I am pleased to rise in support of H.R. 4724, the veterans housing amendments of 1994.

I would like to commend the gentleman from Illinois [Mr. **SANGMEISTER**] for introducing this measure. Furthermore, I praise the chairman of the Veterans Committee, the gentleman from Mississippi [Mr. **MONTGOMERY**], and the ranking minority member, the gentleman from Arizona [Mr. **STUMP**] for their continuing work on behalf of our Nation's veterans.

H.R. 4724 exempts Reservists with service-related disabilities from the 6-year service requirement for housing loans, extends loan guarantee assistance to the surviving spouses of Reservists who died on duty or from service-related disabilities, broadens the criteria for houses to receive VA loans, and enables those service members who have been released from active duty due to force cutbacks to bypass the 2-year service requirement for loan guaranty benefits.

Mr. Speaker, these crucial amendments express the support and appreciation that the American people have for our Nation's servicemen and women by making housing loans more accessible, and by recognizing the sacrifices made by disabled veterans, we are providing quality, affordable housing to our serv-

icemen and women and their families, who have given so much to our great Nation.

Furthermore, the loan requirement exemptions for those Reservists who have been released from active duty due to a reduction in force, or have sustained a service-connected disability, enhance the equity of our Veterans Housing Program, and compensate those whose sacrifices have been unusually great.

Mr. Speaker, as our Nation's veterans continue to suffer poverty and homelessness, it is important that the Congress takes steps to relieve their suffering. H.R. 4724 is an essential part of this process, making good housing accessible to thousands of veterans. Mr. Speaker, our Nation's veterans have given so much to our Nation through the years, we must continue to recognize their valiant service and provide them with the benefits and the services they have earned.

Accordingly, I support this measure, and I urge my colleagues to also vote in support of this important legislation.

Mr. **MONTGOMERY**. Mr. Speaker, I yield back the balance of my time.

Mr. **STUMP**. Mr. Speaker, I have no requests for time, and I yield back the balance of my time.

The **SPEAKER pro tempore** (Mr. **FRANK** of Massachusetts). The question is on the motion offered by the gentleman from Mississippi (Mr. **MONTGOMERY**) that the House suspend the rules and pass the bill, H.R. 4724.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### RECESS

The **SPEAKER pro tempore**. The Chair declares the House in recess for 5 minutes.

Accordingly (at 12 o'clock and 23 minutes p.m.), the House stood in recess for approximately 5 minutes.

□ 1230

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore [Mr. **SANGMEISTER**] at 12 o'clock and 30 minutes p.m.

#### UNLISTED TRADING PRIVILEGES ACT OF 1994

Mr. **MARKEY**. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4535) to amend the Securities Exchange Act of 1934 with respect to the extension of unlisted trading privileges for corporate securities, and for other purposes.

The Clerk read as follows:

H.R. 4535

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Unlisted Trading Privileges Act of 1994".

#### SEC. 2. AMENDMENTS TO THE SECURITIES EXCHANGE ACT OF 1934.

(a) UNLISTED TRADING PRIVILEGES.—Section 12(f) of the Securities Exchange Act of 1934 (15 U.S.C. 781(f)) is amended by striking paragraphs (1) and (2) and inserting the following:

"(f)(1)(A) Notwithstanding the preceding subsections of this section, any national securities exchange, in accordance with the requirements of this subsection and the rules hereunder, may extend unlisted trading privileges to—

"(i) any security that is listed and registered on a national securities exchange, subject to subparagraph (B); and

"(ii) any security that is otherwise registered pursuant to this section, or that would be required to be so registered except for the exemption from registration provided in subparagraph (B) or (G) of subsection (g)(2), subject to subparagraph (E) of this paragraph.

"(B) A national securities exchange may not extend unlisted trading privileges to a security described in subparagraph (A)(i) during such interval, if any, after the commencement of an initial public offering of such security, as is or may be required pursuant to subparagraph (C).

"(C) Not later than 180 days after the date of enactment of the Unlisted Trading Privileges Act of 1994, the Commission shall prescribe, by rule or regulation, the duration of the interval referred to in subparagraph (B), if any, as the Commission determines to be necessary or appropriate for the maintenance of fair and orderly markets, the protection of investors and the public interest, or otherwise in furtherance of the purposes of this title. Until the earlier of the effective date of such rule or regulation or 240 days after such date of enactment, such interval shall begin at the opening of trading on the day on which such security commences trading on the national securities exchange with which such security is registered and end at the conclusion of the next day of trading.

"(D) The Commission may prescribe, by rule or regulation such additional procedures or requirements for extending unlisted trading privileges to any security as the Commission deems necessary or appropriate for the maintenance of fair and orderly markets, the protection of investors and the public interest, or otherwise in furtherance of the purposes of this title.

"(E) No extension of unlisted trading privileges to securities described in subparagraph (A)(ii) may occur except pursuant to a rule, regulation, or order of the Commission approving such extension or extensions. In promulgating such rule or regulation or in issuing such order, the Commission—

"(i) shall find that such extension or extensions of unlisted trading privileges is consistent with the maintenance of fair and orderly markets, the protection of investors and the public interest, and otherwise in furtherance of the purposes of this title;

"(ii) shall take account of the public trading activity in such securities, the character of such trading, the impact of such extension on the existing markets for such securities, and the desirability of removing impediments to and the progress that has been made toward the development of a national market system; and

"(iii) shall not permit a national securities exchange to extend unlisted trading privileges to such securities if any rule of such national securities exchange would unreasonably impair the ability of a dealer to solicit or effect transactions in such securities for its own account, or would unreasonably

restrict competition among dealers in such securities or between such dealers acting in the capacity of market makers who are specialists and such dealers who are not specialists.

"(F) An exchange may continue to extend unlisted trading privileges in accordance with this paragraph only if the exchange and the subject security continue to satisfy the requirements for eligibility under this paragraph, including any rules and regulations issued by the Commission pursuant to this paragraph, except that unlisted trading privileges may continue with regard to securities which had been admitted on such exchange prior to July 1, 1964, notwithstanding the failure to satisfy such requirements. If unlisted trading privileges in a security are discontinued pursuant to this subparagraph, the exchange shall cease trading in that security, unless the exchange and the subject security thereafter satisfy the requirements of this paragraph and the rules issued hereunder.

"(G) For purposes of this paragraph—

"(i) a security is the subject of an initial public offering if—

"(I) the offering of the subject security is registered under the Securities Act of 1933; and

"(II) the issuer of the security, immediately prior to filing the registration statement with respect to the offering, was not subject to the reporting requirements of section 13 or 15(d) of this title; and

"(ii) an initial public offering of such security commences at the opening of trading on the day on which such security commences trading on the national securities exchange with which such security is registered.

"(2)(A) At any time within 60 days of commencement of trading on an exchange of a security pursuant to unlisted trading privileges, the Commission may summarily suspend such unlisted trading privileges on the exchange. Such suspension shall not be reviewable under section 25 of this title and shall not be deemed to be a final agency action for purposes of section 704 of title 5, United States Code. Upon such suspension—

"(i) the exchange shall cease trading in the security by the close of business on the date of such suspension, or at such time as the Commission may prescribe by rule or order for the maintenance of fair and orderly markets, the protection of investors and the public interest, or otherwise in furtherance of the purposes of this title; and

"(ii) if the exchange seeks to extend unlisted trading privileges to the security, the exchange shall file an application to reinstate its ability to do so with the Commission pursuant to such procedures as the Commission may prescribe by rule or order for the maintenance of fair and orderly markets, the protection of investors and the public interest, or otherwise in furtherance of the purposes of this title.

"(B) A suspension under subparagraph (A) shall remain in effect until the Commission, by order, grants approval of an application to reinstate, as described in subparagraph (A)(ii).

"(C) A suspension under subparagraph (A) shall not affect the validity or force of an extension of unlisted trading privileges in effect prior to such suspension.

"(D) The Commission shall not approve an application by a national securities exchange to reinstate its ability to extend unlisted trading privileges to a security unless the Commission finds, after notice and opportunity for hearing, that the extension of unlisted trading privileges pursuant to such

application is consistent with the maintenance of fair and orderly markets, the protection of investors and the public interest, and otherwise in furtherance of the purposes of this title. If the application is made to reinstate unlisted trading privileges to a security described in paragraph (1)(A)(ii), the Commission—

"(i) shall take account of the public trading activity in such security, the character of such trading, the impact of such extension on the existing markets for such a security, and the desirability of removing impediments to and the progress that has been made toward the development of a national market system; and

"(ii) shall not grant any such application if any rule of the national securities exchange making application under this subsection would unreasonably impair the ability of a dealer to solicit or effect transactions in such security for its own account, or would unreasonably restrict competition among dealers in such security or between such dealers acting in the capacity of marketmakers who are specialists and such dealers who are not specialists."

(b) CONFORMING AMENDMENT.—Section 12(f)(3) of the Securities Exchange Act of 1934 (15 U.S.C. 78l(f)(3)) is amended by striking "The Commission" and inserting "Notwithstanding paragraph (2), the Commission".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts [Mr. MARKEY] will be recognized for 20 minutes, and the gentleman from Texas [Mr. FIELDS] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Massachusetts [Mr. MARKEY].

Mr. MARKEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today the House is taking up legislation to streamline and make our Nation's stock markets more competitive by extending unlisted trading privileges to the regional stock exchanges for most registered securities as soon as they become listed and registered on another exchange.

I am pleased to join with the distinguished gentleman from Oregon [Mr. WYDEN], who is the lead sponsor on this legislation, along with the gentleman from Michigan [Mr. DINGELL], the chairman, the gentlewoman from Illinois [Mrs. COLLINS], the gentleman from Oklahoma [Mr. SYNAR], the gentleman from Tennessee [Mr. COOPER], the gentleman from Illinois [Mr. HASTERT], the gentlewoman from Pennsylvania [Ms. MARGOLIES-MEZVINSKY], the gentleman from New Mexico [Mr. RICHARDSON], and the gentleman from California [Mr. MOORHEAD], in cosponsoring this important piece of legislation.

This bill eliminates an anachronistic provision of the Securities Exchange Act of 1934 which requires regional stock exchanges, such as the Boston Stock Exchange, to receive Securities Exchange Commission approval before they can trade stocks listed on the New York or the American Stock Exchange.

The Securities and Exchange Commission routinely approves all requests by the regional exchanges for unlisted

trading privileges. Last year, for example, the Commission reported that it approved over 1,600 exchange requests for UTP. No UTP requests have actually been denied since 1934, and during the last 10 years, virtually no comments have been submitted to the SEC on a UTP application.

At the same time, processing the paperwork involved in a UTP application can result in delays of up to 60 days before the regional exchanges actually can initiate trading in these listed securities.

In contrast, the stock brokerage firms that trade New York Stock Exchange-listed stocks in so-called over-the-counter third market, are subject to no comparable requirement to obtain SEC approval prior to trading the exact same securities. As a result, these firms can begin trading such stocks immediately upon their listing in the primary market.

H.R. 4535 will eliminate this regulatory disparity. It will permit the regional exchanges to trade all listed existing securities without having to receive prior SEC approval. At the same time, it will empower the SEC to undertake a rulemaking with respect to the granting of unlisted trading privileges in any initial public offering of securities in a company approved for listing on one of the primary exchanges.

On June 22, 1994, the Subcommittee on Telecommunications and Finance heard from representatives of the SEC, the New York Stock Exchange, the American Stock Exchange, the regional stock exchanges, and the NASD, and all of the witnesses testified that they strongly support H.R. 4535 as a fair and equitable compromise that will benefit consumers by increasing competition amongst our Nation's stock markets.

I want to again congratulate the gentleman from Oregon [Mr. WYDEN] on this legislation, and I wanted to thank the gentleman from Texas [Mr. FIELDS], the ranking minority member of the committee. We have tried to work on legislation here in a way that can very expeditiously bring more competition and better access for consumers to these important security marketplace products.

Mr. Speaker, I just once again want to thank the gentleman from Texas [Mr. FIELDS], and at this point reserve the balance of my time.

Mr. FIELDS of Texas. Mr. Speaker, I yield myself such time as I may consume.

Let me begin on a note that the chairman just closed on, because I, too, appreciate the way in which the chairman has conducted not only the hearings that we have had on this particular issue, but the markup and working with all parties interested in developing good legislation.



Mr. Speaker, H.R. 4535 lays the foundation for removing unnecessary regulatory delays that inhibit market competition with respect to unlisted trading privileges.

In 1993 alone, the SEC processed over 1,600 exchange requests for unlisted trading privileges. The Commission tells us that not only are comments on UTP applications rare, virtually no comments have been submitted on any application in over 10 years.

By enacting H.R. 4535, we authorize the SEC to adopt rules that will provide for a minimum time period, or no time period at all, before a regional exchange can begin trading a stock listed on a primary exchange. By eliminating the application and approval process, we will free up valuable SEC personnel and financial resources that are currently being wasted on the UTP application review function.

I note that next year will mark the 20th anniversary of the 1975 amendments to the securities laws. It is appropriate that we review the progress that has been made to date, and determine what remains to be done to link our securities markets. The intent of Congress remains unchanged from what it was in 1975. We must continue our comprehensive legislative review of the securities laws to ensure that our markets continue to provide additional investor protection, to remove barriers to competition, and to attract the investment business of the world.

I want to commend the chairman of the Energy and Commerce Committee, JOHN DINGELL, and the ranking Republican, CARLOS MOORHEAD, for their leadership on this issue. I also want to commend Subcommittee Chairman ED MARKEY, and Congressman RON WYDEN for their work on the legislation. I support H.R. 4535, and I urge its adoption.

Mr. Speaker, I reserve the balance of my time.

Mr. MARKEY. Mr. Speaker, I yield such time as he may consume to the gentleman from Oregon [Mr. WYDEN].

Mr. WYDEN. Mr. Speaker, I rise in support of the legislation.

Mr. Speaker, let me begin first by thanking the gentleman from Massachusetts [Mr. MARKEY], the chairman of the subcommittee. He has been extraordinarily patient in working on this legislation with me, with the gentleman from Michigan [Mr. DINGELL], the chairman, with our good friend, and the gentleman from Texas [Mr. FIELDS], for many years. We have now fashioned it so that I know of no opposition whatsoever. I think this is another example of what I would call the Markey-Fields Midas touch that they have brought to handling these regulatory matters.

The fact of the matter is, as both the gentleman from Massachusetts [Mr. MARKEY], the subcommittee chairman, and the gentleman from Texas [Mr. FIELDS] have really touched on, what

the subcommittee is really about doing is eliminating some of these regulatory dinosaurs that are outdated, antiquated, bureaucratic hoops that are limiting competition in the securities marketplace. By going after this one in particular, we are in a position to give consumers greater choice and investors better prices for their investment options.

The bill does remove antiquated rules that require the Securities and Exchange Commission to conduct a lengthy application notice and approval process before a regional exchange can trade stocks listed on another exchange. This process currently takes 45 to 60 days, and as far as I can tell, in recent years this requirement has done absolutely nothing except heap extra administrative costs on the Securities and Exchange Commission.

So today, by eliminating this barrier, we seek to further promote the development of the intermarket trading system, look to the days when consolidated tape and pervasive computerization of the securities business are a reality, and there is no reason in my view to limit competition, given where we are headed through these outdated unlisted trading privilege regulations.

In my view, this legislation is common sense deregulation. It is going to increase competition, improve prices for consumers, and reduce costs for the Government.

Mr. Speaker, the hearing on this legislation, as the gentleman from Massachusetts [Mr. MARKEY], the chairman, and the gentleman from Texas [Mr. FIELDS] have noted, indicates that virtually nothing since the early thirties suggests that there are any problems with going forward with this reform.

□ 1240

I would also add that at this hearing I submitted information drawn from the trading of actual initial public offerings that showed that unless the regional exchanges can trade on the first day of trading, it is unlikely that consumers are going to reap the benefits of competition and lower prices.

The information that I submitted at that hearing indicates that on average the trading volume on the first day of trading was over 11 times higher than on the third day, over 26 times higher than on the 6th day and over 60 times higher than on the 60th day. Moreover, trading patterns by brokers are set in a given stock almost immediately. The record that we accumulated from these initial public offerings shows that even after the regional exchanges received unlisted trading privileges, their market share was generally stuck around 1 or 2 percent, while the share on the New York Stock Exchange hardly ever fell below 95 percent.

The bottom line is, if the regional exchanges do not have the opportunity to do this trading the first day, their abil-

ity to compete will always be limited. If we limit the competition, consumers and investors do not have the best opportunity to receive the lowest prices possible. We do not think that is in the public interest. That is why we are passing this legislation today.

Mr. Speaker, let me conclude, again, by expressing my thanks to the gentleman from Massachusetts [Mr. MARKEY] the gentleman from Texas, both of them are a pleasure to work with on these and other matters. I am especially pleased that this could be a real benefit to the small businesses of our country.

Mr. FIELDS of Texas. Mr. Speaker, will the gentleman yield?

Mr. WYDEN. I yield to the gentleman from Texas.

Mr. FIELDS of Texas. I just want to point out to the House and particularly my side of the aisle that the gentleman from Oregon is being overly humble in regard to himself. It was the gentleman from Oregon who took this particular concept from Market 2000 and fostered this particular piece of legislation. I think it is important for the House to know who was really the inspiration behind what I consider to be a very good piece of legislation.

Mr. WYDEN. I thank my friend for his kind remarks. He is gracious as always. I think we know, with the gentleman from Massachusetts [Mr. MARKEY] and himself, we operate in a bipartisan way and this has been a team effort. And it has been great to work with both of them and also our ranking Republican, the gentleman from California [Mr. MOORHEAD], and the gentleman from Michigan [Mr. DINGELL].

Mr. FIELDS of Texas. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. MOORHEAD], the senior Republican on the Committee on Energy and Commerce.

Mr. MOORHEAD. Mr. Speaker, H.R. 4535 is the most recent bill the Energy and Commerce Committee has produced in a series that serves to modernize the regulation and future structure of the securities markets.

H.R. 4535 will require the Securities and Exchange Commission to act within months of the bill being signed into law to address the process governing the granting of unlisted trading privileges to the regional stock exchanges. The commission will be required to engage in rulemaking to modernize these rules to ensure that monopolies are not being protected and that competition, not regulation, determines where stocks will trade.

The bill is the result of a bipartisan effort in both Houses of Congress, and I particularly want to commend subcommittee chairman EDWARD MARKEY and JACK FIELDS, the ranking Republican member of the Telecommunications and Finance Subcommittee, and chairman JOHN DINGELL of the full

committee for their leadership in this matter.

Mr. MARKEY. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. FIELDS of Texas. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SANGMEISTER). The question is on the motion offered by the gentleman from Massachusetts [Mr. MARKEY] that the House suspend the rules and pass the bill, H.R. 4535.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. MARKEY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks, and to include extraneous material, on H.R. 4535, the bill just considered and passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

#### PROVIDING FOR INVESTIGATION OF WHEREABOUTS OF UNITED STATES CITIZENS MISSING FROM CYPRUS SINCE 1974

Mr. HAMILTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2826) to provide for an investigation of the whereabouts of the United States citizens and others who have been missing from Cyprus since 1974, as amended.

The Clerk read as follows:

H.R. 2826

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. UNITED STATES CITIZENS AND OTHERS MISSING FROM CYPRUS.

(a) INVESTIGATION.—As soon as is practicable, the President shall undertake, in cooperation with an appropriate international organization or nongovernmental organization, a thorough investigation of the whereabouts of the United States citizens and others who have been missing from Cyprus since 1974. The investigation shall focus on the countries and communities which were combatants in Cyprus in 1974, all of which currently receive United States foreign assistance.

(b) RESULTS OF THE INVESTIGATION.—The President shall report the findings of this investigation to the family of each of the United States citizens and others who have been missing from Cyprus since 1974 and to the Congress. Such reports shall include the whereabouts of the missing.

(c) RETURNING THE MISSING.—The President, in cooperation with an appropriate international organization or nongovernmental organization, shall do everything possible to return to their families, as soon

as is practicable, the United States citizens and others who have been missing from Cyprus since 1974, including returning the remains of those who are no longer alive.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Indiana [Mr. HAMILTON] will be recognized for 20 minutes, and the gentleman from New York [Mr. GILMAN] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Indiana [Mr. HAMILTON].

Mr. HAMILTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this bill requires the President to undertake, as soon as is practicable a thorough investigation of the whereabouts of United States citizens and others who have been missing from Cyprus since 1974.

H.R. 2826 was introduced by the distinguished gentleman from New York [Mr. ENGEL] in August of last year.

Originally, the administration had requested that the Committee on Foreign Affairs refrain from considering this legislation because of concerns that it would negatively impact on talks with Cyprus on this issue.

However, since that concern was raised, those talks have once again stalled.

I would note for Members that this year marks 20 years since the tragic events that led to the invasion and division of Cyprus.

Nearly 20 years of bicomunal talks and U.N.-sponsored negotiations to bring a settlement to the Cyprus problem have failed. None of us would have believed in 1974 that those events would take so long to reverse.

It is my hope that this resolution will send a signal that the U.S. Congress has not forgotten about the Cyprus problem.

H.R. 2826 underscores our desire to see progress toward resolving all aspects of this long and divisive conflict and beginning a new, more hopeful, chapter in the history of Cyprus.

I would like to commend the gentleman from New York [Mr. ENGEL] for his work in moving this legislation through committee and to the floor.

I urge my colleagues to support this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. GILMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, our consideration of H.R. 2826, which calls for a Presidential investigation of the cases of missing persons from Cyprus, comes at a time point following our observance last week of the 20th anniversary of Turkey's brutal invasion and occupation of northern Cyprus, and I commend the gentlemen from New York and Illinois, Mr. ENGEL and Mr. PORTER, for introducing this measure.

The Turkish invasion of Cyprus has had lasting repercussions through Turkey's continued illegal occupation of a

portion of Cyprus. None of these repercussions has been so tragic as the complete lack of a resolution of the cases of some 1,619 missing persons, including 5 U.S. citizens, whose fates remain unknown to this day.

Along with other Members of the House, I have repeatedly called on the government of Turkey and others who may have some information to come forward and help us resolve the question of what has happened to more than 1,600 MIA's. So far these calls have gone unheeded.

This resolution calls upon the President, as soon as practicable, to undertake an investigation in cooperation with international and other organizations of the whereabouts of those who have been missing since the Turkish invasion some 20 years ago. It directs the President to share the results of this investigation with the families of the missing as well as with the Congress. Finally, it would have the President do everything possible to return to their families the missing or their remains.

Mr. Speaker, along with the other cosponsors of H.R. 2826, I strongly believe that the families and friends of those persons missing since the Turkish invasion of Cyprus have a right to know the fate of their loved ones. Some 20 years of diplomatic efforts by the United Nations and by other organizations have proven fruitless.

It is long overdue for a serious effort by the U.S. Government to get to the bottom of this matter. Much information is almost certainly in the hands of the government of Turkey—a close friend and ally of the United States. We should make it clear to Turkey and anyone else that may have information that this is an issue of the highest importance. Accordingly, I urge my colleagues to join in support of this measure.

□ 1250

Mr. Speaker, I reserve the balance of my time.

Mr. HAMILTON. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. ENGEL].

Mr. ENGEL. Mr. Speaker, at the outset I want to thank the gentleman from Indiana [Mr. HAMILTON], the distinguished chairman of our Committee on Foreign Affairs, for his leadership in bringing this to the floor, and thank his staff for their leadership. Without them, this would not have happened.

I also want to thank the gentleman from New York [Mr. GILMAN], our distinguished ranking minority member, and also my friend, the gentleman from Illinois [Mr. PORTER], who has worked so long and hard with me on behalf of the resolution of the Cyprus conflict.

Mr. Speaker, I rise to express my strong support for H.R. 2826, legislation directing the President to investigate the fate of 5 missing Americans and other missing on Cyprus since 1974.



Both of my colleagues, Mr. Speaker, have made reference to the fact that it has been 20 years since the invasion, and 20 years is certainly enough.

Less than 2 weeks ago, Mr. Speaker, we recalled the 20th anniversary of the Turkish invasion of the Island of Cyprus. One of the most horrific aspects of that act of aggression was the large dispersement of the Cypriot population and the arrest and disappearance of more than 2,000 people. What is particularly galling, Mr. Speaker, is that Turkey, a close ally and NATO member, used American weaponry for that invasion, and we have not in the 20 years gotten an accounting of five missing American citizens.

Mr. Speaker, in the wake of that invasion, 5 Americans, 1,600 Greek Cypriots, and several hundred Turkish Cypriots disappeared, never to be heard from again.

For nearly two decades, their families have relentlessly but unsuccessfully tried to find traces of their loved ones. In the years since his disappearance, the parents of Andrew Kassapis, whom I have met many times, from Detroit, have yet to understand how the invaders could take their son away, all the while he was holding an American passport and declared that he was an American citizen. That did not seem to matter. He was brutally taken away by the Turkish invaders.

Mr. Speaker, I firmly believe that the time has come to shed light upon this tragic aspect of the Cyprus conflict. By introducing this legislation, I hope to obtain for the suffering families the answers for which they have longed. H.R. 2826 directs the President to conduct "a thorough investigation of the whereabouts of the United States citizens and others who have been missing from Cyprus since 1974." I might add, Mr. Speaker, that the 1974 date is a key date, because that, of course, was the date of the invasion of Cyprus.

Mr. Speaker, the bill also requires the President to report to family members on the whereabouts of the missing and to return them or their remains to loved ones.

As of today, almost 190 Members of Congress have cosponsored H.R. 2826. Included in that list are more than half of the members of the Foreign Affairs Committee. By passing this legislation today, we will take an important step toward ending the pain still endured by families of the missing. Their questions cannot remain unanswered and they deserve a full and honest accounting of what happened to their loved ones.

I, therefore, urge my colleagues to support H.R. 2826 and encourage the House to pass this legislation. After 20 years, we must finally expose this dark chapter in the history of Cyprus and bring to light the fate of the missing Americans.

Mr. Speaker, I again thank the gentleman from Indiana [Mr. HAMILTON],

the distinguished chairman of the Committee on Foreign Affairs.

Mr. GILMAN. Mr. Speaker, I am pleased to yield such time as he may consume to the gentleman from Illinois [Mr. PORTER].

Mr. PORTER. Mr. Speaker, I thank the distinguished gentleman from New York [Mr. GILMAN] for yielding time to me, and for his abiding and strong leadership on this and on all humanitarian and human rights issues.

Mr. Chairman, I thank the gentleman from Indiana [Mr. HAMILTON] for his willingness to address this important issue, and I thank the gentleman from New York [Mr. ENGEL], a member of the Committee on Foreign Affairs, for his able advocacy and excellent work in getting this bill to the floor.

Mr. Speaker, as an original cosponsor of this measure, I also thank the 186 Members of the House who have cosponsored.

Mr. Speaker, this bill was introduced last year, the week of the 19th anniversary of the Turkish invasion of Cyprus. That week, a delegation of religious leaders and others from Cyprus, all of whom were members of the Committee on the Missing, came to Washington to participate in a candlelight vigil in Lafayette Park across from the White House. Some of them had missing relatives, and we heard their stories and the story of Mr. Kostas Kassapis, an American citizen whose 17-year-old son, Andrew, was abducted at gunpoint by the Turkish military in 1974. We learned how fresh these memories are for many Cypriots and the families of the five missing Americans.

Two weeks ago we commemorated the 20th anniversary of the separation of Cyprus. During the intervening year, 186 Members of the House cosponsored this bill. A similar bill in the Senate attracted 46 cosponsors.

The reason, I believe, so many Members have cosponsored so quickly, is because, while the problems of finding a fair and democratic solution to the situation on Cyprus have been elusive, the issue of the missing is simple and clear cut. Returning the five Americans and the other Greek-Cypriots and Turkish-Cypriots missing as a result of the Turkish invasion to their families—living or not—is a humanitarian issue. It must not be confused with the larger political and diplomatic issues that involve Greece, Turkey, the United States, the Government of Cyprus, and the Turkish-Cypriot-dominated north.

Our Nation has struggled long and hard with the issue of missing from the Vietnam War and we understand as a nation the pain it causes. To make it even worse in the case of the missing Americans from the Turkish invasion, are all noncombatants, and their ages range from the 17-year-old Andrew Kassapis to men past retirement age.

Another reason this bill has found such acceptance with House Members

is that it is very limited in scope. It simply directs the President to investigate and report to Congress on the whereabouts of Americans and others—both Greek Cypriots and Turkish Cypriots—who have been missing from Cyprus since 1974 and to do everything to return them or their remains to their families.

The State Department routinely investigates leads on the missing Americans in Cyprus and has worked with the United Nations Committee on Missing Persons, which was created in 1981 and is charged with pursuing missing cases and ultimately setting this issue to rest.

While the Committee on Missing Persons is a useful and necessary office, it has made little progress in achieving its mission. This is largely because of a lack of information being supplied to it. This effort needs to be revitalized.

This bill is designed to jump start the process and resolve this issue once and for all. I was told at a Congressional Human Rights Caucus forum on this issue in May 1992 that many of the outstanding cases could be resolved very quickly with a small amount of information and some cooperation by the Government of Turkey, the Government of Cyprus, and the leadership in the north of Cyprus.

Mr. Speaker, Turkey has, with unusual inhumanity, even for it, refused cooperation with international bodies to trace those missing as a result of their invasion of 20 years ago. They outrage all civilized peoples everywhere in this cynical refusal.

Hopefully, Mr. Speaker, they will see the light of day, if not in regard to the humanitarian nature of the finding of the fate of the missing, then at least in regard to their future relations with our country and with the European Community, with which they have expressed strong interest in economic union.

Mr. Speaker, I encourage Members to support this bill, which addresses a humanitarian issue involving Americans, and I again thank the gentleman from New York [Mr. ENGEL] for his tireless efforts in this important cause, and for his leadership in bringing this bill to the floor, together with the chairman and ranking member of the Committee on Foreign Affairs.

□ 1300

Mr. GILMAN. I thank the gentleman for his kind, supportive remarks, and I commend him for his continuing efforts on behalf of human rights throughout the world.

Mr. Speaker, I yield as much time as he may consume to the gentleman from Nebraska [Mr. BEREUTER], another member of the Committee on Foreign Affairs.

Mr. BEREUTER. Mr. Speaker, this Member rises in conditional support for an investigation of the missing from

the conflict between the Greek Cypriots and the Turkish Cypriots. Certainly, the families of the five missing Americans should be afforded whatever solace they may gain from learning the final status of their loved ones who disappeared 20 years ago. This Member commends the gentleman from New York [Mr. ENGLEL] for raising again, this important issue.

As members of the Foreign Affairs Committee may recall, when H.R. 2826 was considered in the Foreign Affairs Committee, this Member expressed concern that emphasis on the missing Americans and the missing Greek Cypriots, with no reference to the more than 800 missing Turkish Cypriots, might have the unintended effect of appearing to take sides between Turkish and Greek Cypriots. The United States should and must be evenhanded not only because of the impact on Cyprus, but also because we must not exacerbate relations between our two NATO allies—Greece and Turkey.

This Member raises this issue because the United States is attempting to act as an honest broker in the talks on the confidence building measures [CBM] in Cyprus. Were the Congress to appear to be taking sides, our credibility as an arbitrator in the CBM talks could be undermined.

Regrettably, there are elements on both sides of the Cyprus dispute who would like to see the CBM talks fail. These groups are prepared to use even the most insignificant and unintended nuance as a sign of a change in U.S. policy. The actions of this body are followed very closely in the capitals of the world, and the diplomats and the media in Nicosea, in Athens, and in Ankara will follow our actions very closely.

The State Department seems to acknowledge this potential difficulty in its official assessment of H.R. 2826, which was delivered to the Foreign Affairs Committee on March 9, 1994. In it, Assistant Secretary of State Wendy Sherman noted that:

Greek Cypriots list approximately 1,600 names missing since 1974, of which 5 are U.S. citizens. In addition, the Turkish Cypriots estimate 800 missing, many dating from the 1963-74 period.

After the committee markup, this Member has subsequently received verbal assurances that it is indeed the State Department's intention to investigate all the missing in Cyprus—Greek-Americans, Greek Cypriots, and Turkish Cypriots. If H.R. 2826 results in an evenhanded and balanced investigation of the missing in Cyprus, then this Member can enthusiastically support the resolution of the gentleman from New York. Given the assurances provided by the State Department, this Member would urge approval of H.R. 2826.

Ms. SNOWE. Mr. Speaker, I rise today to express my strong support for H.R. 2826, a

bill which would provide for an investigation into the whereabouts of five American citizens missing in Cyprus since the brutal invasion of that island republic by Turkey 20 years ago.

As a result of that invasion, five American citizens were taken captive by a NATO ally. The families of these missing Americans have tried relentlessly to discover the whereabouts of their loved ones. Last week, I met the father and sisters of one of those American citizens still missing in occupied Cyprus. Twenty years ago, 17-year-old Andy Kassapis, of Livonia, MI, was dragged off by Turkish troops with his United States passport in his hand. He has not been heard from since. We owe it to him, and the other four missing Americans, to do everything we can to determine their whereabouts. But Turkey, a fellow member of NATO, has so far declined to cooperate in this effort.

Turkey's brutal invasion 20 years ago drove more than 200,000 Cypriots from their homes and reduced them to the status of refugees in their own land. More than 2,000 people are still missing, including 5 American citizens. The Turkish Army seized 40 percent of the land of Cyprus, representing 70 percent of the island's economic wealth. Barbed wire stretches across the country like an ugly scar, and armed check points dot the green line.

I was first elected to Congress in 1978, 4 years after the Turkish invasion. That was also the year that President Carter succeeded in getting the United States arms embargo on Turkey lifted on the promise of an imminent breakthrough on ending the tragic division of the island. But the Turks never had any intention of fulfilling that promise.

Every year that I have been in Congress I have noted a cynical, fraudulent pattern of behavior by the Turkish Government and by the leader of the self-proclaimed Turkish Republic of Northern Cyprus. Each year, there are hints of movement and glimmering hopes of ending the Turkish occupation and reuniting Cyprus. The most recent opportunity was the United Nations-sponsored talks over confidence building measures that predictably collapsed just weeks ago because of continued Turkish intransigence.

Each year, the hopes of the Cypriot people are dashed on two bedrock facts. These are, first, the basic preference of Mr. Denktash, the leader of the Turkish-Cypriot community, for the status quo. By now, it should be clear that he prefers a divided island, even though his illegal rump country is not recognized by the international community and is, in reality, controlled by Turkey. The second bedrock fact is that the 40,000 Turkish occupation troops in northern Cyprus are there only to enforce the illegal status quo.

I realize that after 20 years there are some who might wish to put this issue aside, and say that perhaps nothing can be done. But I challenge anyone who might be tempted to accept the status quo whether out of frustration of weakness. Accepting the status quo would not only be morally wrong, but it simply is not an option.

The status quo on Cyprus has always been unacceptable. But the dramatic changes in the world now call for putting words into deeds. For so many years, the apologists for Turkey have argued that our hands were tied because

of the need to support Turkey as a bulwark against the expansion of the Soviet Union into the Eastern Mediterranean. But that argument and the Soviet threat have both evaporated.

The United States and the United Nations must unequivocally declare that the time is over for endless bad faith negotiations and intransigence on the part of the Turkish side. The time has arrived for concrete steps to end the illegal division of the island.

Turkey must also be made to realize that it shares much of the blame for the repeated failures at the negotiating table. The government in Ankara must be held accountable for its influence over Mr. Denktash and the Turkish Cypriots. Their continued intransigence has not just been sanctioned but encouraged by Turkey. The United States must pressure the Turkish government to make it understand that it is in their best interests to negotiate a peaceful end to its illegal occupation of Northern Cyprus.

Three months ago, President Clerides of Cyprus made an astounding proposal that would transform the political environment. He proposed that both the government of Cyprus and the Turkish occupation forces disband their military forces. He called on the creation of a new U.N. peacekeeping operations that would take over the military assets of each side. He further offered to pay the costs of the U.N. operation from the resulting budget savings. This would shatter the stalemate and finally establish an environment in which the country can be peacefully reunited.

It would be preferable for this proposal to be implemented by agreement between the parties. But he must also keep in mind the facts that the Turks like occupying their weaker neighbor and Mr. Denktash likes pretending to rule a pretend nation.

We must continue to press for a negotiated settlement to the illegal division of Cyprus and the full accounting of those missing because of that division. With the passing of this bill, the House is sending the signal that the time for meaningless words is passed, and that only concrete actions will be acceptable.

Mr. BILIRAKIS. Mr. Speaker, I rise today in strong support of H.R. 2826, which will provide for an investigation into the circumstances surrounding United States citizens missing from Cyprus since the 1974 illegal Turkish occupation.

I also would like to take this opportunity to commend my colleagues Congressman ENGEL of New York and Congressman PORTER of Illinois for introducing this legislation.

Mr. Speaker, in the spring of 1992 I had the opportunity to chair hearings held by the congressional human rights caucus on the issue of the 1,619 people who are still unaccounted for in Cyprus as a result of the 1974 Turkish occupation.

What I heard during those hearings was agonizing. We had the opportunity to have a small, informal briefing then with Costas Kassapis, an American citizen from the State of Michigan. He and his family, who are American citizens as well, were in Cyprus at the time of the occupation. His son, Andrew, who was only 17 years old at the time is among the missing. Andrew Kassapis was dragged off in August 1974 by Turkish soldiers, nearly a month after the actual invasion. Andrew was



abducted with his American passport in hand and has not been seen or heard from since.

Costas Kassapis made a heart-wrenching plea to us in that briefing. He made sure to tell us that he hates no one. All he wants is his boy, Andrew. Costas Kassapis' words were these:

If he is alive, I want him back. If he is not, I need a concrete answer as to what has happened. I need help finding out. My family and I have suffered very much these past years wondering where Andrew is. Our thoughts and prayers are with him every single day wondering if he is hungry or fed or if he is rotting in a Turkish prison.

Mr. Speaker, five American citizens are still missing as a result of the illegal Turkish invasion of Cyprus in 1974, and Turkey is considered by the United States and this administration as an ally. However, the question still remains, what happened to these people?

For 20 years we've not known what really happened. All we have is the word of Mr. Rauf Denkash, the leader of the Turkish Cypriots, that these people are dead. Mr. Speaker that is not enough. We must find out what has happened to the five Americans in 1974, as well as the rest of the missing Greek Cypriots. If we are ever to find peace in that part of the world we must have concrete evidence on what has happened.

In 1974, Turkish television and newsreels produced photographs of prisoners of war that were taken during the occupation. They show Greek Cypriot soldiers on their knees with their hands above their heads. These prisoners of war that have been identified in these photographs and newsreels are still listed as missing. If these defenseless soldiers are dead, as Mr. Denkash has said, then we have a direct and flagrant disregard of the Geneva Convention.

Mr. Speaker, H.R. 2826 will bring us one step closer to answering a 20-year-old question. I again would like to express my appreciation to the gentleman from New York [Mr. ENGEL] as well as the gentleman from Illinois [Mr. PORTER] for bringing attention to this important human rights issue.

Mrs. MALONEY. Mr. Speaker, I want to thank my colleagues ELIOT ENGEL and JOHN PORTER for all their hard work on H.R. 2826, legislation which calls on the President to investigate the whereabouts of the 1,614 Cypriots and 5 Americans who are still missing from the 1974 invasion of Cyprus.

This resolution has garnered the impressive, bipartisan support of 186 of our colleagues here in the House and 43 Members of the other body. I am proud to be a cosponsor of this bill and to vote for its passage today. I would also urge the other body to pass this measure during this session of Congress.

Two weeks ago many of us commemorated the illegal 1974 Turkish invasion and occupation of 37 percent of Cyprus. The most tragic consequence of that invasion was the disappearance of 1,619 people during the hostilities. Included among the missing are the friends and relatives of many of my constituents from Astoria, NY.

George Anastasiou disappeared during that invasion. The last his brother Andreas heard from him was a message received 6 months after his capture. Andrew Kassapis was dragged off by Turkish Cypriot soldiers with

his United States passport in his hand. Christaci Loizoi was 5 years old when he disappeared from a Turkish doctor's office after being hit by a stray bullet. Christaci's mother has been waiting 20 years for word on her son.

These victims are real. Equally as real are the shattered lives of their families and friends. For 20 years they have been waiting, hoping, and praying. Their pain must be relieved. Turkey must account for the missing.

The Turkish Government has been ignoring repeated U.N. resolutions, resolutions of this Congress and the pleas of family members separated from loved ones for 20 years. They continue to refuse to account for the fate of the missing. This is a crime against not only the missing but their families and friends as well.

You don't have to be a native Cypriot to feel kinship with the fathers and mothers and sisters and brothers of those missing and unaccounted for for 20 years. We must not let the world forget this tragedy. We must not turn our backs on the people of Cyprus. We must press the Turkish Cypriot leadership, and their supporters in Ankara, to release or account for the 1,619 missing persons.

This House has made a good first step toward making an accounting. The Senate and the President should do so as well.

Mr. MEEHAN. Mr. Speaker, today I am pleased that the House has approved H.R. 2826, a bill which will direct the President to investigate and report to Congress on the whereabouts of United States citizens who have been missing from Cyprus since 1974 and do everything possible to return these missing people, or their remains, to their families. H.R. 2826 is only the first step toward finding a solution to the situation in Cyprus.

As you may recall, Turkish forces attacked and occupied the island in 1974. Since then, the violations of Turkish forces have continued. Innocent people are still dying for no apparent reason. I'm sure you've heard the numbers: 1,619 Greek Cypriots are still missing from those fateful days of 1974, over 200,000 have been displaced, and there are actually Americans who are still missing.

These are more than mere numbers, though. These are people who had friends, family, children, and hopes for the future. Now there are children who will never know their mother or father, there are parents who will never see their children again, and there is a world that will suffer for never having had the opportunity to gain from these people.

When Turkey invaded Cyprus, the U.N. Charter, which specifically states in its preamble that, "All members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the purposes of the United Nation," was violated. In addition, the North Atlantic Treaty Organization's charter was violated.

Today, 37.3 percent of Cyprus is occupied by Turkish forces. There are 80,000 illegal Turkish settlers, and 35,000 illegal occupation troops. It's important to remember, though, that the Greek Cypriots were not the only people affected by the Turkish invasion. American citizens living in Cyprus have had their land

and homes seized and occupied by Turkish forces. American citizens are also still missing after almost 20 years.

Since the need of the cold war, the world has been struggling to define a new world order. Under this new world order, we must work together to achieve peace, and Cyprus is simply one of many tests of this new world order. If we can be successful in our aspirations for peace in Cyprus, then we can truly be successful in other areas of the world.

The human rights violations that have been going on in Cyprus for the past 20 years cannot be allowed to continue. It is our duty as Americans to help find a solution to end these atrocities and aid not only the Greek Cypriots but American citizens as well. As a cosponsor of H.R. 2826, I strongly feel that now is the time to take action on locating these missing Americans, and take our first step in resolving the situation in Cyprus.

Mr. GILMAN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. HAMILTON. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SANGMEISTER). The question is on the motion offered by the gentleman from Indiana [Mr. HAMILTON] that the House suspend the rules and pass the bill, H.R. 2826, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### HELSINKI HUMAN RIGHTS DAY

Mr. HAMILTON. Mr. Speaker, I move to suspend the rules and pass the Senate joint resolution (S.J. Res. 195) to designate August 1, 1994, as "Helsinki Human Rights Day."

The Clerk read as follows:

S.J. RES. 195

Whereas August 1, 1994, is the 19th anniversary of the signing of the Final Act of the Conference on Security and Cooperation in Europe (CSCE) (hereafter referred to as the "Helsinki Accords");

Whereas the participating States have declared their determination to fully respect and apply the Helsinki Principles Guiding Relations among participating States, including respect for human rights, the territorial integrity of States, and the inviolability of frontiers;

Whereas the participating States have declared that "the protection and promotion of human rights and fundamental freedoms and the strengthening of democratic institutions continue to be a vital basis for our comprehensive security";

Whereas the participating States have declared that "respect for human rights and fundamental freedoms, including the rights of persons belonging to national minorities, democracy, the rule of law, economic liberty, social justice, and environmental responsibility are our common aims";

Whereas the participating States have acknowledged that "there is still much work to be done in building democratic and pluralistic societies, where diversity is fully protected and respected in practice";

Whereas the war in Bosnia and Herzegovina has resulted in organized, systematic, and premeditated war crimes and genocide and has threatened stability and security in Europe;

Whereas ethnic tensions, civil unrest, and egregious human rights abuses in several of the recently admitted CSCE States continue to result in significant violations of CSCE commitments; and

Whereas the CSCE has contributed to positive developments in Europe by promoting and furthering respect for the human rights and fundamental freedoms of all individuals and groups and provides an appropriate framework for the further development of such rights and freedoms and genuine security and cooperation among the participating States: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. HELSINKI HUMAN RIGHTS DAY.

(a) DESIGNATION.—August 1, 1994, the 19th anniversary of the signing of the Final Act of the Conference on Security and Cooperation in Europe, is designated as "Helsinki Human Rights Day".

(b) PROCLAMATION.—The President is authorized and requested to issue a proclamation reasserting America's commitment to full implementation of the human rights and humanitarian provisions of the Helsinki Accords, urging all signatory States to abide by their obligations under the Helsinki Accords, and encouraging the people of the United States to join the President and Congress in observance of Helsinki Human Rights Day with appropriate programs, ceremonies, and activities.

(c) HUMAN RIGHTS.—The President is requested to convey to all signatories of the Helsinki Accords that respect for human rights and fundamental freedoms continues to be a vital element of further progress in the ongoing Helsinki process; and to develop new proposals to advance the human rights objectives of the Helsinki process, and in so doing to address the major problems that remain.

#### SECTION 2. TRANSMITTAL.

The Secretary of State is directed to transmit copies of this joint resolution to the Ambassadors or representatives to the United States of the other 52 Helsinki signatory States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Indiana [Mr. HAMILTON] will be recognized for 20 minutes, and the gentleman from New York [Mr. GILMAN] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Indiana [Mr. HAMILTON].

Mr. HAMILTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the resolution before us designates today—August 1—as Helsinki Human Rights Day.

Let me first thank the chairman of the Post Office and Civil Service Committee, Mr. CLAY, who agreed to waive consideration of this resolution so that the House could consider it today.

I would like to also commend the gentleman from Maryland [Mr. HOYER], who is the original sponsor of the House companion resolution, House Joint Resolution 393.

Mr. HOYER has long been one of the principal proponents in the House of

the need to protect internationally recognized human rights around the world, and he is to be commended for his work in this area.

Mr. Speaker, this resolution is very straightforward:

It notes that today is the 19th anniversary of the signing of the Helsinki accords;

It recognizes that the protection and promotion of human rights and fundamental freedoms, as well as the strengthening of democracy, continue to be vital to our security; and

It recognizes the positive contributions to stability that the Conference on Security and Cooperation in Europe has made by promoting and furthering respect for human rights and fundamental freedoms of all individuals and groups.

At this time, when ethnic tensions, civil unrest and continued human rights abuses continue to threaten stability around the world, I believe it is important for us to remember that civilized nations, acting in concert, can play an important role in addressing these problems.

This resolution reasserts our commitment to full protection of human rights around the world and deserves the support of the House.

Mr. Speaker, I reserve the balance of my time.

Mr. GILMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to rise in support of Senate Joint Resolution 195 which designates today, August 1, 1994 as Helsinki Human Rights Day. Nineteen years ago our Nation along with Canada and all the other European nations signed the final act of the Conference on Security and Cooperation in Europe. That act culminated a long series of negotiations linking together the concepts of security and stability in Europe with the recognition of human rights. While today this notion is widely accepted, 19 years ago and earlier, during the bitterest years of the cold war, the totalitarian regime which controlled the Soviet Union categorically rejected international human rights standards.

The Soviets maintained then that the manner in which citizens were treated by their government was strictly an "internal matter," beyond the purview of international relations. By signing the final act the Soviets were not only brought within the sphere of Europe, but were also explicitly acknowledging that human rights were a legitimate issue of international concern.

Tragically today, Mr. Speaker, in the former Yugoslavia, we are witnessing violations of human rights on a massive scale where the governments of the Republics of the former Yugoslavia are failing to uphold fully the standards contained in the Helsinki accords. Indeed, one government, Serbia, has

adopted a policy of deliberately flouting these standards.

The conflict in the Balkans is a signal to all of us that the Helsinki accords are a living document that we must constantly strive to uphold so that all the citizens of Europe can enjoy the fruits and benefits of peace, security, and the full enjoyment of basic human rights and fundamental freedoms.

Accordingly, Mr. Speaker, I urge all my colleagues to join in saying aye to Senate Joint Resolution 195, and by doing so, send a message that will be heard throughout Europe that we believe firmly in the CSCE and in fulfilling the promise of Helsinki that was born 19 years ago today.

Mr. HOYER. Mr. Speaker, I wish to thank the distinguished chairman of the Foreign Affairs Committee, Mr. HAMILTON, and the ranking minority member, Mr. GILMAN, for their assistance in bringing the pending resolution before the House and for their steadfast support for the Helsinki process and the work of the Helsinki Commission. I am privileged to serve as cochairman of the Commission together with my good friend Senator DENNIS DECONCINI who is scheduled to retire at the end of this Congress. I want to make special mention and commend Senator DECONCINI for his years of tireless dedicated service to the Commission and his steadfast commitment to the principles enshrined in the Helsinki Final Act.

Today we commemorate the 19th anniversary of the signing of the Helsinki Final Act, a historic document which has, for nearly two decades now, proven invaluable in promoting human rights, democracy, and rule of law in the CSCE participating states. On August 1, 1975, the leaders of then 35 countries gathered in Helsinki, Finland, to sign the Final Act of the Conference on Security and Cooperation in Europe [CSCE]. The Final Act served and continues to serve as a standard against which to measure the human rights record of each of the signatory states. In a very real sense the Helsinki process laid the groundwork for many of the dramatic developments and changes which took place in Europe during the late 1980's. But the euphoria of that period has been tempered by the reality that Europe is still in the process of liberating itself from the legacy of the past; and as old confrontations and divisions fade, new ones threaten to undermine the new era of democracy, peace and unity in Europe following the end of the cold war.

If there is to be a new world order it must be firmly rooted in the fundamental principles and freedoms enshrined in the Helsinki Final Act. While there has been some progress in this regard, there is so much more work to be done. We need look no further than Bosnia, where for over 2 years we have witnessed the destruction of a multicultural society. I recently returned from Sarajevo where I observed firsthand the disastrous consequences of armed aggression and genocide driven by intolerance and fueled by ethnic hatred.

Through indecision and inaction the international community has allowed that situation in Bosnia and Herzegovina to deteriorate to its current state: over 200,000 killed; millions driven from their homes through a campaign of



"ethnic cleansing"; and thousands interned in concentration camps and rape motels. The ethnic cleansing campaigns in northwestern and, most recently, in northeastern Bosnia demonstrate that the Serb militants will not give up territory in light of a peace agreement, but will "purify" those areas which they feel are safely theirs, no matter what.

Nothing, not even genocide, has prompted the kind of resolute action necessary to contain, let alone actively fight, the virus of ethnic hatred and intolerance which has consumed so many in the former Yugoslavia. Any negotiated resolution of war in Bosnia and in neighboring Croatia must fully respect CSCE principles, including respect for the territorial integrity of each. In addition, if justice is to be served, those responsible for crimes against humanity must be prosecuted.

For decades Berlin was the symbol of cold war division. Today, Sarajevo is the symbol of another division in the heart of Europe. As Berliners held out hope that they would one day be united and free, the people of Sarajevo remain steadfast in their hope that it is not too late to resurrect the multiethnic society they worked for years to establish and nurture.

Growing ethnic tensions, civil unrest, and egregious human rights violations, are by no means confined to the Balkans and are a source of continued concern. They remind us of the need to redouble our efforts to safeguard human rights and fundamental freedoms throughout the CSCE community.

In this regard, I note that Uzbekistan's regime continues to flout CSCE commitments by cracking down on opposition activists; the opposition has been completely suppressed or forced into exile by the most brutal methods. Human rights are similarly violated in Turkmenistan, where the regime never even let the opposition develop to the point where its suppression might be necessary. In Tajikistan, where a civil war in 1992-93 killed scores of thousands and made half a million people refugees, the regime, while now negotiating with the opposition, still is not allowing opposition forces to organize.

In Russia, the recently issued anticrime decree contains elements which seriously threaten to undermine human rights. Even more worrying, however, is the report issued last week by the government human rights commission, headed by Sergei Kovalev, former dissident, political prisoner, and colleague of Andrei Sakharov. This report, excerpts of which have been published in the Russian press, details continuing human rights concerns, such as the survival of residence restrictions in Moscow, and the expulsion from the capital last October of thousands of "people of Caucasian nationality."

On a positive note, I welcome the recent agreement between Estonia and the Russian Federation which paves the way for the removal of Russian troops from that Baltic state by the end of this month.

Mr. Speaker, I recently returned from the third CSCE parliamentary assembly where there was considerable debate over recent developments in Turkey and that country's treatment of its Kurdish citizens. While Turkey is a valuable NATO ally and major recipient of United States military and economic assistance, we should not be deterred from voicing

serious concerns over the deteriorating human rights situation and the Turkish Government's inability or unwillingness to constructively address abuses.

The Helsinki Commission has always placed particular emphasis on the importance of implementation of CSCE human rights commitments. In recent months the Commission has issued a series of reports on human rights and democratization in countries of Central and Eastern Europe. Additional reports will be issued shortly. This ambitious effort is being undertaken in advance of the upcoming Budapest CSCE review meeting which, among other things, will consider the status of human rights in the now 53 participating states. The Budapest meeting will play an important role in helping to chart the course of the CSCE as it prepares to enter its third decade.

Mr. Speaker, on this, the 19th anniversary of its signing, let us resolve anew to uphold those fundamental principles and freedom enshrined in the Helsinki Final Act.

Mr. PORTER. Mr. Speaker, today marks the 19th anniversary of the day representatives of 33 European nations, Canada and the United States met in Helsinki, Finland to sign the Final Act of the Conference on Security and Cooperation in Europe. The Final Act, better known as the Helsinki Accords, created a framework by which these nations would agree to respect human rights; abide by international law, refrain from military aggression, and respect the borders and sovereignty of their neighbors.

Through the early years of the CSCE, its founding principles represented more of a hope for the future—a statement of principles—than a reality in many member countries. The Communist bloc countries continued to systematically violate the human rights of their people and the Baltics and a number of eastern and central European countries remained occupied.

Today, however, the full promise of the CSCE is beginning to be met and CSCE has been an active part in this transformation. The group of signatory nations has grown to over 50, including the New Independent States of the former Soviet Union, the Baltics, and the other new nations of Europe.

Although the cold war is over, the work of the CSCE is not. It can now play a critical role in helping to address the issues facing post-cold-war Europe, such as the tensions over nationality which have arisen most notably in the former Yugoslavia and in newly independent countries of the CIS. The CSCE can also develop its role to ensure the full implementation of human rights guarantees in each of the more than 50 member countries. The task of the Helsinki process should now be to make irreversible the Democratic advancements that have been made in eastern Europe and the former Soviet Union and to consolidate mechanisms for preventing conflict and preserving peace throughout Europe.

Because the CSCE process has been such a useful forum to monitor international compliance to the Helsinki Accords, I believe that model of the Helsinki Commission should be applied to other international agreements. For this reason, I have introduced legislation to create a Rio Commission. The Rio Commission would oversee progress toward the policy

goals produced at the United Nations Conference on Environment and Development [UNCED] in Rio de Janeiro in June. Like the Helsinki Commission, the Rio Commission would be composed of Members of Congress and the executive branch and would keep track of how the United States and UNCED conferees are implementing the commitments they made at the Earth Summit to achieve environmental protection and sustainable development. It is my hope that, by establishing a Rio Commission, we will make as much progress on Earth Summit goals as we have made on the commitments that were included in the Helsinki Accords.

I am pleased to join my colleague, Representative HOYER, Chairman of the Helsinki Commission, in marking the anniversary of the signing of the Helsinki Accords and I urge the adoption of this resolution.

Mr. GILMAN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. HAMILTON. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana [Mr. HAMILTON] that the House suspend the rules and pass the Senate joint resolution, Senate Joint Resolution 195.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate joint resolution was passed.

A motion to reconsider was laid on the table.

#### PROVIDING FOR CONCURRENCE BY THE HOUSE WITH AMENDMENTS TO SENATE AMENDMENTS TO H.R. 4429, AUTHORIZING TRANSFER OF NAVAL VESSELS TO CERTAIN FOREIGN COUNTRIES

Mr. HAMILTON. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 499), providing for the concurrence by the House with amendments to the amendments of the Senate to H.R. 4429.

The Clerk read as follows:

#### H. RES. 499

*Resolved*, That upon the adoption of this resolution the bill (H.R. 4429) (to authorize the transfer of naval vessels to certain foreign countries) with the Senate amendments thereto, shall be considered to have been taken from the Speaker's table to the end that—

(1) the Senate amendments numbered 1 through 11 be, and the same are hereby, agreed to; and

(2) the Senate amendment number 12 be, and the same is hereby, agreed to with an amendment as follows:

(A) Page 2, beginning on line 13, strike "or any other provision of law".

(B) Page 3, strike line 3 and all that follows through line 9.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Indiana [Mr. HAMILTON] will be recognized for 20 minutes, and the gentleman from New York [Mr. GILMAN] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Indiana.

Mr. HAMILTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as approved by the House on May 23, H.R. 4429 authorizes the transfer of 17 naval vessels through 2 sales, 1 grant, and 14 leases to Argentina, Australia, Brazil, Chile, Malaysia, Morocco, Spain, Venezuela, and Taiwan.

As amended by the other body, H.R. 4429 authorizes the transfer of only 7 naval vessels rather than 17 through 2 sales, 1 grant, and 4 leases to Australia, Brazil, Morocco, and Spain.

□ 1310

The other body included two additional amendments that require the Secretary of Defense to certify that the amphibious lift capability of the U.S. Navy will remain at 2½ Marine Corps expeditionary brigades, and dedicated the proceeds received from these transfers to the Naval Operations and Maintenance account. The other body approved H.R. 4429 by voice vote on July 15.

This resolution provides that the House concur in the Senate amendments to H.R. 4429 with further amendments. The House amendment deletes the use of proceeds section that was approved by the other body. In other words, moneys from sales and leases will go to the U.S. Treasury, not Naval Operations and Maintenance.

The House amendment limits the certification required by the Senate to vessels transferred under this act. The House is taking this action because it is the best way to support the administration's request. It does not violate the Balanced Budget and Emergency Deficit Control Act and it continues to serve as a money earner and saver for the U.S. Treasury, and money multiplier for U.S. Navy and commercial shipyards.

Mr. Speaker, we should approve this resolution. It is the right way to proceed with legislation governing the transfer of naval vessels.

Mr. Speaker, I reserve the balance of my time.

Mr. GILMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as Chairman HAMILTON has indicated, the House originally passed this legislation on May 23 by voice vote. On July 15, the Senate passed the legislation after making a number of changes and sent the legislation back to the House. Today, the House is agreeing with the Senate modifications in large part and sending the legislation back to the Senate for its consideration.

As passed originally by the House, the purpose of this legislation was to authorize the transfer of 17 ships to 9 countries—Argentina, Australia, Brazil, Chile, Malaysia, Morocco, Spain, Taiwan, and Venezuela. The proposed

transfers involve *Knor*-class frigates and *Newport*-class tank landing ships.

The Senate reduced the number of ships available for transfer from 17 to 7. The seven ships authorized to be transferred under this legislation, include five *Newport*-class tank landing ships and two *Knor*-class frigates, which are available for Australia, Brazil, Morocco, and Spain. Additionally, the Senate directed the Secretary of Defense to make certain certifications regarding amphibious lift capability before any naval vessels can be transferred.

Finally, the Senate mandated that the proceeds from the sales and leases of the seven ships should go directly to the Department of the Navy. This provision is being deleted pursuant to House action today. The committee believes strongly that instead proceeds from this legislation should flow directly to general receipts of the Treasury.

Of the seven ships, the United States intends to sell two of these vessels to Australia pursuant to chapter 21 of the Arms Export Control Act and grant one of the ships to Morocco pursuant to section 516 of the Foreign Assistance Act. These three ships will not remain on the U.S. Naval Vessel Register.

All of the remaining four ships, the United States intends to transfer pursuant to chapter 6 of the AECA. During their lease periods, these four ships will be retained on the U.S. Naval Vessel Register while under the operational command and control of the designated foreign recipients. Under the lease terms, the United States may terminate the leases and have the vessels returned to U.S. custody should the need arise.

All of the *Newport* tank landing ships authorized for transfer under this legislation remain in active service and would be transferred directly to the foreign countries once they are decommissioned.

The United States would incur no costs for the transfer of these naval vessels. Any expenses incurred in connection with the transfers would be charged to the recipient nation including maintenance, repair and reactivation costs, and training.

The U.S. Government will receive between \$25.9 million and \$33.6 million in sales and lease revenues as a result of this legislation. Further, by transferring these ships, the United States will avoid \$10.5 million in deactivation and storage costs. In addition, it is anticipated that the recipient countries will pay U.S. shipyards between \$5 and \$30 million for repair and reactivation work on these ships.

I understand that the changes being made by the House in this legislation are acceptable to the other body and we look forward to their expeditious consideration of this legislation.

Accordingly, Mr. Speaker, I urge my colleagues to support this measure. It

advances the valuable, cooperative relationships the United States has established with each of these nations' navies and manages to save U.S. taxpayers a significant amount of money at the same time.

Mr. Speaker, I have no requests for time, and I yield back the balance of my time.

Mr. HAMILTON. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SANGMEISTER). The question is on the motion offered by the gentleman from Indiana [Mr. HAMILTON] that the House suspend the rules and agree to the resolution, House Resolution 499.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. HAMILTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 2826, Senate Joint Resolution 195, and House Resolution 499, which were just considered and adopted.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

#### AUTHORIZING CERTAIN ELEMENTS OF YAKIMA RIVER BASIN WATER ENHANCEMENT PROJECT

Mr. MILLER of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1690) to authorize certain elements of the Yakima River Basin water enhancement project, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1690

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. PURPOSES.

*The purposes of this Act are—*

(1) to protect, mitigate, and enhance fish and wildlife through improved water management; improved instream flows; improved water quality; protection, creation and enhancement of wetlands; and by other appropriate means of habitat improvement;

(2) to improve the reliability of water supply for irrigation;

(3) to authorize a Yakima River basin water conservation program that will improve the efficiency of water delivery and use; enhance basin water supplies; improve water quality; protect, create and enhance wetlands; and determine the amount of basin water needs that can be met by water conservation measures;

(4) to realize sufficient water savings from the Yakima River Basin Water Conservation Program so that not less than 40,000 acre-feet of water savings per year are achieved by the end of the fourth year of the Basin Conservation



Program, and not less than 110,000 acre-feet of water savings per year are achieved by the end of the eighth year of the program, to protect and enhance fish and wildlife resources; and not less than 55,000 acre feet of water savings per year are achieved by the end of the eighth year of the program for availability for irrigation;

(5) to encourage voluntary transactions among public and private entities which result in the implementation of water conservation measures, practices, and facilities; and

(6) to provide for the implementation by the Yakama Indian Nation at its sole discretion of (A) an irrigation demonstration project on the Yakama Indian Reservation using water savings from system improvements to the Wapato Irrigation Project, and (B) a Toppenish Creek corridor enhancement project integrating agricultural, fish, wildlife, and cultural resources.

#### SEC. 2. DEFINITIONS.

As used in this Act:

(1) The term "Basin Conservation Plan" means a plan for implementing water conservation measures found in the various water conservation plans developed under the Basin Conservation Program.

(2) The term "Basin Conservation Program" means the Yakima River Basin Water Conservation Program established under section 3(a).

(3) The term "comprehensive basin operating plan" means a plan that will provide guidance to the Yakima Project Superintendent for operation of the existing Yakima Project as modified by actions taken pursuant to this Act.

(4) The term "Conservation Advisory Group" means the Yakima River Basin Conservation Advisory Group established under section 3(c).

(5) The term "conserved water" means water saved and attributable to the program established under the Basin Conservation Program.

(6) The term "Irrigation Demonstration Project" means the Yakama Indian Reservation Irrigation Demonstration Project authorized in section 4(b).

(7) The term "nonproratable water" means that portion of the total water supply available under provisions of sections 18 and 19 of Civil Action No. 21 (Federal District Court Judgment of January 31, 1945) that is not subject to proration in times of water shortage.

(8) The term "on-district storage" means small water storage facilities located within the boundaries of an irrigation entity, including re-regulating reservoirs, holding ponds, or other new storage methods which allow for efficient water use.

(9) The term "proratable water" means that portion of the total water supply available under provisions of sections 18 and 19 of Civil Action No. 21 (Federal District Court Judgment of January 31, 1945) that is subject to proration in times of water shortage.

(10) The term "Secretary" means the Secretary of the Interior.

(11) The term "System Operations Advisory Committee" means a group of fishery biologists—

(A) created by the Yakima Project Superintendent in response to the supplemental instructions entitled "Supplementary Instructions to the Water Master", and dated November 28, 1980, in the case of Kittitas Reclamation District, et al. vs. the Sunnyside Valley Irrigation District, et al. (E.D. Wash., Civil No. 21.);

(B) who advise the Yakima Project Superintendent on operations of the Yakima Project for fish and wildlife purposes; and

(C) who, together with others, were identified for consultation on November 29, 1990, in the amended partial summary judgment entered in the basin adjudication (Yakima County Superior Court No. 77-2-01484-5).

(12) The term "Toppenish Enhancement Project" means the Toppenish Creek corridor enhancement project authorized by section 4(c).

(13) The term "Yakama Indian Nation" means the Confederated Tribes and Bands of the Yakama Indian Nation as redesignated under section 4(g).

(14) The term "Yakima Project Superintendent" means the individual designated by the Regional Director, Pacific Northwest Region, Bureau of Reclamation, to be responsible for the operation and management of the Yakima Federal Reclamation Project, Washington.

#### SEC. 3. YAKIMA RIVER BASIN WATER CONSERVATION PROGRAM.

(a) ESTABLISHMENT.—(1) The Secretary, in consultation with the State of Washington, the Yakama Indian Nation, Yakima River basin irrigators, and other interested parties, shall establish and administer a Yakima River Basin Water Conservation Program for the purpose of evaluating and implementing measures to improve the availability of water supplies for irrigation and the protection and enhancement of fish and wildlife resources, including wetlands, while improving the quality of water in the Yakima Basin. The Secretary may make grants to eligible entities for the purposes of carrying out this Act under such terms and conditions as the Secretary may require. Such terms and conditions shall include a requirement that all water districts, irrigation districts, individuals, or other entities eligible to participate in the Basin Conservation Program must equip all surface water delivery systems within their boundaries with volumetric water meters or equally effective water measuring methods within 5 years of the date of enactment of this Act.

(2) Conserved water resulting in whole or in part from the expenditure of Federal funds shall not be used to expand irrigation in the Yakima Basin, except as specifically provided in section 4(a)(3) on the Yakama Indian Reservation.

(3) The provisions of this section shall not apply to the Yakama Indian Nation except as to any funds specifically applied for from the Basin Conservation Program.

(b) FOUR PHASES OF PROGRAM.—The Basin Conservation Program shall encourage and provide funding assistance for four phases of water conservation, which shall consist of the following:

(1) The development of water conservation plans, consistent with applicable water conservation guidelines of the Secretary, by irrigation districts, conservation districts, water purveyors, other areawide entities, and individuals not included within an areawide entity.

(2) The investigation of the feasibility of specific potential water conservation measures identified in conservation plans.

(3) The implementation of measures that have been identified in conservation plans and have been determined to be feasible.

(4) Post implementation monitoring and evaluation of implemented measures.

(c) CONSERVATION ADVISORY GROUP.—(1) Not later than 12 months after the date of enactment of this Act, the Secretary, in consultation with the State of Washington, the Yakama Indian Nation, Yakima River basin irrigators, and other interested and related parties, shall establish the Yakima River Basin Conservation Advisory Group.

(2) Members of the Conservation Advisory Group shall be appointed by the Secretary and shall be comprised of—

(A) one representative of the Yakima River basin nonproratable irrigators,

(B) one representative of the Yakima River basin proratable irrigators,

(C) one representative of the Yakama Indian Nation,

(D) one representative of environmental interests,

(E) one representative of the Washington State University Agricultural Extension Service,

(F) one representative of the Department of Wildlife of the State of Washington, and

(G) one individual who shall serve as the facilitator.

(3) The Conservation Advisory Group shall—

(A) provide recommendations to the Secretary and to the State of Washington regarding the structure and implementation of the Basin Conservation Program,

(B) provide recommendations to the Secretary and to the State of Washington regarding the establishment of a permanent program for the measurement and reporting of all natural flow and contract diversions within the basin,

(C) structure a process to prepare a basin conservation plan as specified in subsection (f),

(D) provide annual review of the implementation of the applicable water conservation guidelines of the Secretary, and

(E) provide recommendations consistent with statutes of the State of Washington on rules, regulations, and administration of a process to facilitate the voluntary sale or lease of water.

(4) The facilitator shall arrange for meetings of the Conservation Advisory Group, provide logistical support, and serve as moderator for the meetings.

(5) The Conservation Advisory Group shall consult an irrigation district when considering actions specifically affecting that district. For the purposes of this paragraph, an irrigation district includes the Yakama Reservation Irrigation District.

(6) The Conservation Advisory Group shall be nonvoting, seeking consensus whenever possible. If disagreement occurs, any member may submit independent comments to the Secretary. The Conservation Advisory Group shall terminate 5 years after the date of its establishment unless extended by the Secretary.

(d) COST SHARING.—(1) Except as otherwise provided by this Act, costs incurred in the four phases of the Basin Conservation Program shall be shared as follows:

Program Phase	Non-Federal		Federal Grant
	State Grant	Local	
1. Development of water conservation plans	50% but not more than \$200,000 per recipient	(Residual amount if any)	50%
2. Investigation of specific water conservation measures	50% but sum of 1 and 2 not greater than \$200,000 per recipient	20% after deducting State funds for Item 2	Residual amount after deducting State and local funds for Item 2
3 and 4. Implementation and post implementation monitoring and evaluation	17.5%	17.5%	65.0%

(2) The Yakima River Basin Water Enhancement Project is a Federal action to improve streamflow and fish passage conditions and shall be considered part of a comprehensive program to restore the Yakima River basin anadromous fishery resource. Related fishery resource improvement facilities which utilize funding sources under the Pacific Northwest Electric Power Planning and Conservation Act of 1989 (94 Stat. 2697) and independent water-related improvements of the State of Washington and other public and private entities to improve irrigation water use, water supply, and water quality, shall be treated as non-Federal cost share expenditures and shall be consolidated in any final calculation of required cost sharing. Within one year of the date of enactment of this Act,

the Secretary shall enter into a binding cost sharing agreement with the State of Washington. The agreement shall describe the terms and conditions of specific contributions and other activities that may, subject to approval by the Secretary, qualify as non-Federal cost share expenditures.

(3) Costs of the Basin Conservation Program related to projects on the Yakama Indian Reservation are a Federal responsibility and shall be nonreimbursable and not subject to the cost-sharing provisions of this subsection.

(e) ENTITY WATER CONSERVATION PLANS.—To participate in the Conservation Basin Program an entity must submit a proposed water conservation plan to the Secretary. The Secretary shall approve a water conservation plan submitted under this subsection if the Secretary determines that the plan meets the applicable water conservation guidelines of the Secretary.

(f) BASIN CONSERVATION PLAN.—The Conservation Advisory Group shall, within 2½ years after the date of enactment of this Act, submit a draft basin conservation plan to the Secretary.

(g) PUBLIC COMMENT.—The Secretary shall distribute the draft basin conservation plan and the entity water conservation plans submitted under subsections (e) and (f), respectively, for public comment for a 60-day period.

(h) PUBLICATION OF BASIN CONSERVATION PLAN.—Within 60 days after the close of the comment period under subsection (g), the Secretary shall publish the Basin Conservation Plan which plan will provide the basis—

(1) for prioritizing and allocating funds to implement conservation measures under this Act; and

(2) for preparing an interim comprehensive basin operating plan under section 10 of this Act as provided for in Public Law 96-162 (93 Stat. 1241).

(i) CONSERVATION MEASURES.—(1) Measures considered for implementation in the Basin Conservation Program may include, among others, conveyance and distribution system monitoring, automation of water conveyance systems, water measuring or metering devices and equipment, lining and piping of water conveyance and distribution systems, on-district storage, electrification of hydraulic turbines, tail-water recycling, consolidation of irrigation systems, irrigation scheduling, and improvement of on-farm water application systems. Basin Conservation Program funds may also be used throughout all four phases of the Basin Conservation Program to mitigate for adverse impacts of program measures.

(2) In addition to implementing existing technologies, the Secretary shall encourage the testing of innovative water conservation measures. The Secretary shall, to the maximum extent possible under applicable Federal, State, and tribal law, cooperate with the State of Washington to facilitate water and water right transfers, water banking, dry year options, the sale and leasing of water, and other innovative allocation tools used to maximize the utility of existing Yakima River basin water supplies.

(3) The Secretary may, consistent with applicable law, use funds appropriated to carry out this section for the purchase or lease of land, water, or water rights from any entity or individual willing to limit or forego water use on a temporary or permanent basis. Funds used for purchase or lease under this paragraph are not subject to the cost sharing provisions of subsection (d). Efforts to acquire water should be made immediately upon availability of funds to meet the three-year goal specified in section 5(a)(4) to provide water to be used by the Yakima Project Superintendent under the advisement of the System Operations Advisory Committee for instream flow purposes. The use of Basin Conservation Program funds under this

paragraph are in addition to those specifically authorized to be appropriated by subsection (j)(4).

(4) On-farm water management improvements shall be coordinated with programs administered by the Secretary of Agriculture and State conservation districts.

(j) AUTHORIZATION OF APPROPRIATIONS.—There is hereby authorized to be appropriated to the Secretary, at September 1990 prices, plus or minus such amounts as may be justified by reason of ordinary fluctuations of applicable cost indexes, the following amounts for the Basin Conservation Program:

(1) \$1,000,000 for the development of water conservation plans.

(2) \$4,000,000 for investigation of specific potential water conservation measures identified in conservation plans for consideration for implementing through the Basin Conservation Program.

(3) Up to \$67,500,000 for design, implementation, post-implementation monitoring and evaluation of measures, and addressing environmental impacts.

(4) Up to \$10,000,000 for the initial acquisition of water from willing sellers or lessors specifically to provide instream flows for interim periods to facilitate the outward migration of anadromous fish flushing flows. Such funds shall not be subject to the cost sharing provisions of subsection (d).

(5) \$100,000 annually for the establishment and support of the Conservation Advisory Group during its duration. Such funds shall be available for travel and per diem, rental of meeting rooms, typing, printing and mailing, and associated administrative needs. The Secretary and the State of Washington shall provide appropriate staff support to the Conservation Advisory Group.

#### SEC. 4. YAKAMA INDIAN NATION.

(a) WAPATO IRRIGATION PROJECT IMPROVEMENTS AND APPROPRIATIONS.—(1) The Yakama Indian Nation's proposed system improvements to the Wapato Irrigation Project, as well as the design, construction, operation, and maintenance of the Irrigation Demonstration Project and the Toppenish Creek corridor enhancement project, pursuant to this Act shall be coordinated with the Bureau of Indian Affairs.

(2) There is authorized to be appropriated to the Secretary not more than \$23,000,000 for the preparation of plans, investigation of measures, and following the Secretary's certification that such measures are consistent with the water conservation objectives of this Act, the implementation of system improvements to the Wapato Irrigation Project. Funding for further improvements within the Wapato Irrigation Project may be acquired under the Basin Conservation Program or other sources identified by the Yakama Indian Nation.

(3) Water savings resulting from irrigation system improvements shall be available for the use of the Yakama Indian Nation for irrigation and other purposes on the reservation and for protection and enhancement of fish and wildlife within the Yakima River basin. The conveyance of such water through irrigation facilities other than the Wapato Irrigation Project shall be on a voluntary basis and shall not further diminish the amount of water that otherwise would have been delivered by an entity to its water users in years of water proration.

(b) IRRIGATION DEMONSTRATION PROJECT APPROPRIATIONS.—(1)(A) There is hereby authorized to be appropriated to the Secretary—

(i) at September 1990 prices, plus or minus such amounts as may be justified by reason of ordinary fluctuations of applicable cost indexes, \$8,500,000 for the design and construction of the Yakama Indian Reservation Irrigation Demonstration Project; and

(ii) such sums as may be necessary for the operation and maintenance of the Irrigation Demonstration Project, including funds for administration, training, equipment, materials, and supplies for the period specified by the Secretary, which sums are in addition to operation and maintenance funds for wildlife and cultural purposes appropriated to the Secretary under other authorization.

(B) Funds may not be made available under this subsection until the Yakama Indian Nation obtains the concurrence of the Secretary in the construction, management, and administrative aspects of the Irrigation Demonstration Project.

(C) After the end of the period specified under subparagraph (A)(ii), costs for the operation and maintenance of the Irrigation Demonstration Project, including funds for administration, training, equipment, materials, and supplies referred to in that subparagraph, shall be borne exclusively by the lands directly benefitting from the Irrigation Demonstration Project.

(2) The Irrigation Demonstration Project shall provide for the construction of distribution and on-farm irrigation facilities to use all or a portion of the water savings, as determined by the Yakama Indian Nation, resulting from the Wapato Irrigation Project system improvements for—

(A) demonstrating cost-effective state of the art irrigation water management and conservation,

(B) the training of tribal members in irrigation methods, operation, and management, and

(C) upgrading existing hydroelectric facilities and construction of additional hydroelectric facilities on the reservation to meet irrigation pumping power needs.

(c) TOPPENISH CREEK CORRIDOR ENHANCEMENT PROJECT APPROPRIATIONS.—There is hereby authorized to be appropriated to the Secretary \$1,500,000 for the further investigation by the Yakama Indian Nation of measures to develop a Toppenish Creek corridor enhancement project to demonstrate integration of management of agricultural, fish, wildlife, and cultural resources to meet tribal objectives and such amount as the Secretary subsequently determines is necessary for implementation. There is also authorized to be appropriated to the Secretary such sums as may be necessary for the operation and maintenance of the Toppenish Enhancement Project.

(d) REPORT.—Within 5 years of the implementation of the Irrigation Demonstration Project and the Toppenish Enhancement Project, the Secretary, in consultation with the Yakama Indian Nation, shall report to the Committee on Energy and Natural Resources of the Senate, the Committee on Natural Resources of the House of Representatives, and the Governor of the State of Washington on the effectiveness of the conservation, training, mitigation, and other measures implemented.

(e) STATUS OF IMPROVEMENTS AND FACILITIES.—The Wapato Irrigation Project system improvements and any specific irrigation facility of the Irrigation Demonstration Project (excluding on-farm irrigation facilities) and the Toppenish Enhancement Project shall become features of the Wapato Irrigation Project.

(f) TREATMENT OF CERTAIN COSTS.—Costs related to Wapato Irrigation Project improvements, the Irrigation Demonstration Project, and the Toppenish Enhancement Project shall be a Federal responsibility and are nonreimbursable and nonreturnable.

(g) REDESIGNATION OF YAKIMA INDIAN NATION TO YAKAMA INDIAN NATION.—

(1) REDESIGNATION.—The Confederated Tribes and Bands of the Yakima Indian Nation shall be known and designated as the "Confederated Tribes and Bands of the Yakama Indian Nation".



(2) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Confederated Tribes and Bands of the Yakima Indian Nation referred to in subsection (a) shall be deemed to be a reference to the "Confederated Tribes and Bands of the Yakima Indian Nation".

#### SEC. 5. OPERATION OF YAKIMA BASIN PROJECTS.

(a) WATER SAVINGS FROM BASIN CONSERVATION PROGRAM.—(1) The Basin Conservation Program is intended to result in reductions in water diversions allowing for changes in the present operation of the Yakima Project to improve stream flow conditions in the Yakima River basin. Except as provided by paragraph (5) of this subsection and section 9, commencing with the enactment of this Act, and notwithstanding that anticipated water savings are yet to be realized, the Secretary, upon the enactment of this Act and acting through the Yakima Project Superintendent, shall (A) continue to estimate the water supply which is anticipated to be available to meet water entitlements; and (B) provide instream flows in accordance with the following criteria:

Water Supply Estimate for Period (million acre feet):				Target Flow from Date of Estimate thru October Downstream of (cubic feet per second):	
April thru September	May thru September	June thru September	July thru September	Sunnyside Diversion Dam	Prosser Diversion Dam
(1) 3.2	2.9	2.4	1.9	600	600
(2) 2.9	2.65	2.2	1.7	500	500
(3) 2.65	2.4	2.0	1.5	400	400
Less than line 3 water supply				300	300

(2) The initial target flows represent target flows at the respective points. Reasonable fluctuations from these target flows are anticipated in the operation of the Yakima Project, except that for any period exceeding 24 hours—

(A) actual flows at the Sunnyside Diversion Dam may not decrease to less than 65 percent of the target flow at the Sunnyside Diversion Dam; and

(B) actual flows at the Prosser Diversion Dam may not decrease by more than 50 cubic feet per second from the target flow.

(3) The instream flows shall be increased for interim periods during any month of April through October to facilitate when necessary the outward migration of anadromous fish. Increased instream flows for such interim periods shall be obtained through voluntary sale and leasing of water or water rights or from conservation measures taken under this Act.

(4)(A)(i) Within the three-year period beginning when appropriations are first provided to carry out the Basin Conservation Program, the instream flow goal in the Yakima River is as follows: to secure water which is to be used for instream flows to facilitate meeting recommendations of the System Operations Advisory Committee for flushing flows or other instream uses.

(ii) In addition to any other authority of the Secretary to provide water for flushing flows, the water required to meet the goal specified in clause (i) shall be acquired through the voluntary purchase or lease of land, water, or water rights and from the development of additional storage capability at Lake Cle Elum provided for in section 6(a).

(iii) In addition to water required to meet the instream flow goal specified in clause (i), the System Operations Advisory Committee may rec-

ommend additional water to meet instream flow goals pursuant to judicial actions.

(B) After the period referred to in subparagraph (A), such instream flow goal is modified as follows:

(i) The goal increases so that the instream target flows specified in the table in paragraph (1) increase by 50 cubic feet per second for each 27,000 acre-feet of reduced annual water diversions achieved through implementation of measures under the Basin Conservation Program. Such increases do not apply to actions taken pursuant to section 4. Such increases shall not further diminish the amount of water that otherwise would have been delivered by an entity to its water users in years of water proration.

(ii) The goal changes directly with the availability of water resulting from Federal expenditures under this Act for purchase or lease of water under this Act.

(C) The Yakima Project Superintendent shall maintain an account of funded and completed conservation measures taken under the Basin Conservation Program.

(D) No later than March 31 of each calendar year, the Yakima Project Superintendent shall meet with the State of Washington, Yakima Indian Nation, and Yakima River basin irrigators to mutually determine total diversion reductions and respective adjustments to the target flows referred to in this subsection. The Yakima Project Superintendent shall announce such adjustments with the announcements of Total Water Supply Available. For the purposes of this subparagraph, conserved water will be considered available for adjusting target flows in the first year following completion of a measure or following a result from the post implementation monitoring and evaluation program, as the case may be.

(5) Operational procedures and processes in the Yakima River basin which have or may be implemented through judicial actions shall not be impacted by this Act.

(6)(A) Within three years after the date of enactment of this Act, the Secretary shall conduct a study and submit a report with recommendations to the appropriate committees of the Congress on whether the water supply available for irrigation is adequate to sustain the agricultural economy of the Yakima River basin.

(B) The target flows provided for under this subsection shall be evaluated within three years after the date of enactment of this Act by the Systems Operations Advisory Committee for the purpose of making a report with recommendations to the Secretary and the Congress evaluating what is necessary to have biologically-based target flows.

(C) The recommendations and reports under subparagraphs (A) and (B) shall provide a basis for the third phase of the Yakima River Basin Water Enhancement Project.

(b) WATER FROM LAKE CLE ELUM.—Water accruing from the development of additional storage capacity at Lake Cle Elum, made available pursuant to the modifications authorized in section 6(a), shall not be part of the Yakima River basin's water supply as provided in subsection (a)(1). Water obtained from such development is exclusively dedicated to instream flows for use by the Yakima Project Superintendent as flushing flows or as otherwise advised by the System Operations Advisory Committee. Water may be carried over from year-to-year in the additional capacity to the extent that there is space available. Releases may be made from other Yakima Project storage facilities to most effectively utilize this additional water, except that water deliveries to holders of existing water rights shall not be impaired.

(c) STATUS OF BASIN CONSERVATION PROGRAM FACILITIES.—Measures of the Basin Conservation Program which are implemented on facili-

ties currently under the administrative jurisdiction of the Secretary, except as provided in section 4, shall be considered features of the Yakima River Basin Water Enhancement Project, and their operation and maintenance shall be integrated and coordinated with other features of the existing Yakima Project. The responsibility for operation and maintenance and the related costs shall remain with the current operating entity. As appropriate, the Secretary shall incorporate the operation and maintenance of such facilities into existing agreements. The Secretary shall assure that such facilities are operated in a manner consistent with Federal and State law and in accordance with water rights recognized pursuant to State and Federal law.

(d) WATER ACQUIRED BY PURCHASE AND LEASE.—Water acquired from voluntary sellers and lessors shall be administered as a block of water separate from the Total Water Supply Available, in accordance with applicable Federal and State law.

(e) YAKIMA PROJECT PURPOSE.—(1) An additional purpose of the Yakima Project shall be for fish, wildlife, and recreation.

(2) The existing storage rights of the Yakima Project shall include storage for the purposes of fish, wildlife, and recreation.

(3) The purposes specified in paragraphs (1) and (2) shall not impair the operation of the Yakima Project to provide water for irrigation purposes nor impact existing contracts.

#### SEC. 6. LAKE CLE ELUM AUTHORIZATION OF APPROPRIATIONS.

(a) MODIFICATIONS AND IMPROVEMENTS.—There is hereby authorized to be appropriated to the Secretary—

(1) at September 1990 prices, plus or minus such amounts as may be justified by reason of ordinary fluctuation of applicable indexes, \$2,934,000 to—

(A) modify the radial gates at Cle Elum Dam to provide an additional 14,600 acre-feet of storage capacity in Lake Cle Elum,

(B) provide for shoreline protection of Lake Cle Elum, and

(C) construct juvenile fish passage facilities at Cle Elum Dam, plus

(2) such additional amounts as may be necessary which may be required for environmental mitigation.

(b) OPERATION AND MAINTENANCE APPROPRIATIONS.—There is hereby authorized to be appropriated to the Secretary such sums as may be necessary for that portion of the operation and maintenance of Cle Elum Dam determined by the Secretary to be a Federal responsibility.

#### SEC. 7. ENHANCEMENT OF WATER SUPPLIES FOR YAKIMA BASIN TRIBUTARIES.

(a) GENERAL PROVISIONS.—The following shall be applicable to the investigation and implementation of measures to enhance water supplies for fish and wildlife and irrigation purposes on tributaries of the Yakima River basin:

(1) An enhancement program authorized by this section undertaken in any tributary shall be contingent upon the agreement of appropriate water right owners to participate.

(2) The enhancement program authorized by this section shall not be construed to affect (A) the water rights of any water right owners in the tributary or other water delivering entities; (B) the capability of tributary water users to divert, convey, and apply water; and (C) existing water and land uses within the tributary area.

(3) The water supply for tributary enhancement shall be administered in accordance with applicable State and Federal laws.

(4) Any enhancement program authorized by this section shall be predicated upon the availability of a dependable water supply.

(b) STUDY.—(1) The Secretary, following consultation with the State of Washington, the tributary water right owners, and the Yakima Indian Nation, and agreement of appropriate

water right owners to participate, shall conduct a study concerning the measures that can be implemented to enhance water supplies for fish and wildlife and irrigation purposes on Taneum Creek, including (but not limited to)—

- (A) water use efficiency improvements;
- (B) the conveyance of water from the Yakima Project through the facilities of any irrigation entity willing to contract with the Secretary without adverse impact to water users;
- (C) the construction, operation, and maintenance of ground water withdrawal facilities;
- (D) contracting with any entity that is willing to voluntarily limit or forego present water use through lease or sale of water or water rights on a temporary or permanent basis;
- (E) purchase of water rights from willing sellers; and
- (F) other measures compatible with the purposes of this Act, including restoration of stream habitats.

(2) In conducting the Taneum Creek study, the Secretary shall consider—

- (A) the hydrologic and environmental characteristics;
- (B) the engineering and economic factors relating to each measure; and
- (C) the potential impacts upon the operations of present water users in the tributary and measures to alleviate such impacts.

(3) The Secretary shall make available to the public for a 45-day comment period a draft report describing in detail the findings, conclusions, and recommendations of the study. The Secretary shall consider and include any comment made in developing a final report. The Secretary's final report shall be submitted to the Committee on Energy and Natural Resources of the Senate, the Committee on Natural Resources of the House of Representatives, and the Governor of the State of Washington, and made available to the public.

(c) IMPLEMENTATION OF NONSTORAGE MEASURES.—After securing the necessary permits the Secretary may, in cooperation with the Department of Ecology of the State of Washington and in accordance with the laws of the State of Washington, implement nonstorage measures identified in the final report under subsection (b) upon fulfillment of the following conditions:

(1) The Secretary shall enter into an agreement with the appropriate water right owners who are willing to participate, the State of Washington, and the Yakama Indian Nation, for the use and management of the water supply to be provided by proposed tributary measures pursuant to this section.

(2) The Secretary and the State of Washington find that the implementation of the proposed tributary measures will not impair the water rights of any person or entity in the affected tributary.

(d) OTHER YAKIMA RIVER BASIN TRIBUTARIES.—Enhancement programs similar to the enhancement program authorized by this section may be investigated and implemented by the Secretary in other tributaries contingent upon the agreement of the appropriate tributary water right owners to participate. The provisions set forth in this section shall be applicable to such programs.

(e) AUTHORIZATION OF APPROPRIATIONS.—(1) There is hereby authorized to be appropriated to the Secretary \$500,000 for the study of the Taneum Creek Project and such amount as the Secretary subsequently determines is necessary for implementation of tributary measures pursuant to this section.

(2) There is also authorized to be appropriated to the Secretary such funds as are necessary for the investigation of enhancement programs similar to the enhancement program authorized by this section in other Yakima River basin tributaries contingent upon the agreement of the ap-

propriate water right owners to participate. Funds for the implementation of any such similar enhancement program may not be appropriated until after the Secretary submits an investigation report to the appropriate congressional committees.

#### SEC. 8. CHANDLER PUMPING PLANT AND POWER-PLANT OPERATIONS AT PROSSER DIVERSION DAM.

(a) AUTHORIZATION OF APPROPRIATIONS FOR ELECTRIFICATION.—In order to provide for electrification to enhance instream flows by eliminating the need to divert water to operate the hydraulic turbines which pump water to the Kennewick Irrigation District, there is authorized to be appropriated—

- (1) \$50,000 to conduct an assessment of opportunities for alternative pumping plant locations;
- (2) \$4,000,000 for construction; and
- (3) such sums as may be necessary for the prorata share of the operation and maintenance allocated to fish and wildlife as determined by the Secretary.

(b) POWER FOR PROJECT PUMPING.—The Administrator of the Bonneville Power Administration, consistent with provisions of the Columbia River Basin Fish and Wildlife Program established pursuant to the Pacific Northwest Electric Power Planning and Conservation Act (24 Stat. 2697), shall provide for project power needed to effect the electrification as provided in subsection (a). The cost of power shall be credited to fishery restoration goals of the Columbia River Basin Fish and Wildlife Program.

(c) SUBORDINATION.—Any diversions for hydropower generation at the Chandler Powerplant shall be subordinated to meet the flow targets determined under subsection (f).

(d) WATER SUPPLY FOR KENNEWICK IRRIGATION DISTRICT.—The Secretary shall ensure that the irrigation water supply for the Kennewick Irrigation District shall not be affected by conservation, electrification, or subordination pursuant to this Act and any reduction in its irrigation water supply resulting from conservation measures adopted or implemented by other entities pursuant to this Act shall be replaced by water developed through subordination, electrification, or a combination of the two.

(e) TREATMENT OF CERTAIN FUNDS.—Funds appropriated and project power provided pursuant to this section shall be nonreimbursable since such funds are used for fish and wildlife purposes and such funds are not subject to cost share under section 3(d).

(f) TARGET FLOWS.—Target flows measured at appropriate biological and hydrological location or locations shall be determined by the Yakima Project Superintendent in consultation with the System Operations Advisory Committee.

#### SEC. 9. AUGMENTATION OF KACHESS RESERVOIR STORED WATER.

(a) AUTHORIZATION OF APPROPRIATIONS.—In order to augment Kachess Reservoir stored water supplies from flows of Cabin Creek and Silver Creek which are excess to system demands, there is authorized to be appropriated—

- (1) such sums as may be necessary to carry out a feasibility study, including the benefits, costs, and environmental aspects, of the facility described in paragraph (2);
- (2) for the construction of facilities to convey such flows to Kachess Reservoir, \$20,000,000; and
- (3) such sums as may be necessary for the prorata share of the operation and maintenance allocated to fish and wildlife determined by the Secretary.

(b) LIMITATION.—Construction of the facilities described in subsection (a)(2) is contingent on the completion of the feasibility study referred to in subsection (a)(1).

(c) USE OF ADDITIONAL WATER.—The stored water supply resulting from the construction of

facilities under this section shall be used by the Secretary to—

- (1) enhance the water supply available to the Kittitas Reclamation District and the Roza Irrigation District in years of proration; and
- (2) facilitate reservoir operations in the Easton Dam to Keechelus Dam reach of the Yakima River for the propagation of anadromous fish.

(d) TREATMENT OF COSTS.—The construction and operation and maintenance costs of the facilities under this section shall be allocated to irrigation and fishery enhancement, as follows:

- (1) The portion of such costs allocated to irrigation is reimbursable, with the construction costs to be paid prior to initiation of construction by the Kittitas Reclamation District and the Roza Irrigation District.

(2) The portion of such costs allocated to fishery enhancement is nonreimbursable.

(e) KACHESS DAM MODIFICATIONS.—There is authorized to be appropriated \$2,000,000 for the modification of the discharge facilities of Kachess Dam to improve reservoir operations for anadromous fish enhancement. Amounts appropriated under this subsection are nonreimbursable.

#### SEC. 10. INTERIM COMPREHENSIVE BASIN OPERATING PLAN.

(a) DEVELOPMENT.—The Secretary shall, in consultation with the State of Washington, Yakama Indian Nation, Yakima River Basin irrigation districts, Bonneville Power Administration, and other entities as determined by the Secretary, develop an interim comprehensive operating plan for providing a general framework within which the Yakima Project Superintendent operates the Yakima Project, including measures implemented under the Yakima River Basin Water Enhancement Project, including (but not limited to)—

- (1) operating capability and constraints of the system;
- (2) information on water supply calculations and water needs;
- (3) system operations and stream flow objectives; and
- (4) the System Operations Advisory Committee activities.

(b) PROCESS REQUIREMENTS.—A draft of the interim comprehensive basin operating plan shall be completed within 18 months after the completion of the Basin Conservation Plan under section 3(f) and, upon completion, published for a 90-day public review period. The Secretary shall complete and publish the final interim comprehensive operating plan within 90 days after the close of the public review period. The Secretary shall update the plan as needed to respond to decisions from water adjudications relating to the Yakima River basin.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated \$100,000 to carry out this section.

#### SEC. 11. ENVIRONMENTAL COMPLIANCE.

There are hereby authorized to be appropriated to the Secretary \$2,000,000 for environmental compliance activities including the conduct, in cooperation with the State of Washington, of an inventory of wildlife and wetland resources in the Yakima River basin and an investigation of measures, including "wetland banking", which could be implemented to address potential impacts which could result from the activities taken under this Act.

#### SEC. 12. SAVINGS AND CONTINGENCIES.

(a) IN GENERAL.—Nothing in this Act shall be construed to—

- (1) affect or modify any treaty or other right of the Yakama Indian Nation;
- (2) authorize the appropriation or use of water by any Federal, State, or local agency, the Yakama Indian Nation, or any other entity or individual;
- (3) impair the rights or jurisdictions of the United States, the States, the Yakama Indian



Nation, or other entities over waters of any river or stream or over any ground water resource;

(4) alter, amend, repeal, interpret, modify, or be in conflict with any interstate compact made by the States;

(5) alter, establish, or impair the respective rights of States, the United States, the Yakama Indian Nation, or any other entity or individual with respect to any water or water-related right;

(6) alter, diminish, or abridge the rights and obligations of any Federal, State, or local agency, the Yakama Indian Nation, or other entity, public or private;

(7) affect or modify the rights of the Yakama Indian Nation or its successors in interest to, and management and regulation of, those water resources arising or used, within the external boundaries of the Yakama Indian Reservation;

(8) affect or modify the settlement agreement between the United States and the State of Washington filed in Yakima County Superior Court with regard to Federal reserved water rights other than those rights reserved by the United States for the benefit of the Yakama Indian Nation and its members;

(9) affect or modify the rights of any Federal, State, or local agency, the Yakama Indian Nation, or any other entity, public or private with respect to any unresolved and unsettled claims in any water right adjudications, or court decisions, including State against Acquavella, or constitute evidence in any such proceeding in which any water or water related right is adjudicated; or

(10) preclude other planning studies and projects to accomplish the purposes of this Act by other means: funded publicly, privately, or by a combination of public and private funding.

(b) CONTINGENCY BASED ON APPROPRIATIONS.—The performance of any activity under this Act which requires accomplishment within a specified period that may require appropriation of money by Congress or the allotment of funds shall be contingent upon such appropriation or allotment being made.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California [Mr. MILLER] will be recognized for 20 minutes, and the gentleman from Colorado [Mr. ALLARD] will be recognized for 20 minutes.

The Chair recognizes the gentleman from California [Mr. MILLER].

#### GENERAL LEAVE

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 1690, the bill presently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 1690 authorizes certain elements of the Yakima River Basin Water Enhancement Project in the State of Washington.

This bill was approved by the Subcommittee on Oversight and Investigations on June 29, and was ordered reported by the full Committee on Natural Resources on July 27, 1994.

Legislation is needed because the water resources of the Yakima basin cannot meet all demands for water supply, and because increasing demands

for water have often been met at the expense of anadromous fisheries and the needs of the Yakama Indian Nation.

The bill seeks to enhance the available water supply in the Yakima River basin, WA, by providing a funding source to implement a voluntary water conservation program in the basin. Improvements to existing irrigation systems and their operation will reduce the amount of water that needs to be diverted from the Yakima River to maintain full crop production. This will reduce water demands and thereby improve the reliability of the water supply for both streamflows and irrigation.

Those participating in the basin water conservation program will be eligible to receive financial assistance for conservation projects. Water users must agree to reduce diversions from present levels and to measure all water used. Other changes in Yakima Project operations are detailed in the bill, including the establishment of initial target instream flows and long-term instream flow recommendations to assist in the recovery of fishery resources which have been damaged by irrigation diversions. Provisions are also included in the bill for improving water resources to benefit the Yakama Indian Nation by rehabilitating the Wapato Irrigation Project and by authorizing new water resource activities for the Yakama Indian Nation.

H.R. 1690 was developed in consultation with representatives of local, Yakama Indian Nation, State, and Federal entities and agencies and environmental organizations involved with water resource matters in the basin.

H.R. 1690 reflects the strong commitment of the Committee on Natural Resources to propose legislation that will solve the most contentious water resource management problems facing our Western States. I urge my colleagues to support this important legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. ALLARD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1690, although I would characterize my support as lukewarm at best.

This legislation as originally introduced involved many years of debate and consensus building. This bill had its start with our former colleague, Sid Morrison, who worked diligently to achieve a united coalition of competing water interests in the Yakima basin.

However, changes made to this bill in the Natural Resources Committee bill nearly upset this delicate balance for farmers and irrigators in the Yakima basin.

Nevertheless, the irrigators in the Yakima basin have accepted these changes because they remain committed to the overall goal of water con-

servation. I believe the irrigators deserve a great deal of credit for trying to accommodate environmental organizations so that this proposal could reach fruition.

If this legislation is enacted, I think it can be argued that our former colleague Congressman Sid Morrison deserves much of the credit for his work in fashioning an innovative plan for improving flows for fish runs while still maintaining an adequate supply of water for irrigators.

□ 1320

Mr. Speaker, I reserve the balance of my time.

Mr. MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me just say that I want to say that this legislation has been a long time coming, and a great deal of work has been put in on this legislation in trying to get parties to agree by our former colleague, Sid Morrison, and this year our new colleague, the gentleman from Washington [Mr. INSLEE], has engaged in basic shuttle diplomacy between the Natural Resources Committee and the water users and the State of Washington and the other entities, environmental community, Indian nations, in trying to get them to come to an agreement on legislation that they could live with that would help them in the future, minimize the disruptions in the operations, and at the same time meet the multiple and diverse demands that are being placed upon the water in the Yakima basin.

I want to thank him very much for all of his work, maybe more importantly for his patience in listening to all of the concerned parties and to me and to other members of the committee that have been working in Western water law and the reform of some of those systems for some time.

Mr. Speaker, I yield such time as he may consume to our colleague, the gentleman from Washington [Mr. INSLEE].

Mr. INSLEE. Mr. Speaker, I rise in support of H.R. 1690, which would authorize phase 2 of the Yakima River basin water enhancement project.

This bill would authorize conservation improvements in the irrigation projects in the Yakima River basin. This legislation was originally developed in conjunction with groups and organizations that have an interest in the Yakima River basin, including the irrigation districts, the Yakima Indian Nation, the State of Washington, the Bonneville Power Administration, and the Bureau of Reclamation. Both my predecessor, Representative Sid Morrison, and former Senator Dan Evans worked on this legislation. The legislation before us today is the product of this long consensus building effort on

the part of all of these groups. It reflects an understanding of the economic, environmental and political realities of our day.

We believe that this bill represents the kind of path we must all start to take in solving our natural resource challenges. It represents cooperation rather than litigation. It represents short-term sacrifice that is necessary for long-term gain. It represents a solution driven by local leadership rather than outside mandates. In short, we hope it is not a stretch to say that this can serve as a model for our other natural resource challenges in the Northwest.

We too often enter these debates with the belief that there must be winners and losers in any action taken regarding natural resources. In this case, both irrigation and fish habitat win because this bill will dedicate water saved through conservation both to irrigation and to fish habitat.

Water conservation has the potential to extend significantly the amount of water available. It is time that we act to take the commonsense measure of fixing the leaks in our system. Although conservation methods may not be the ultimate answer to the water needs of the Yakima basin, it is a necessary step and one that will pay great dividends. An acre-foot of water saved is an acre-foot of water earned, and each acre-foot of water saved will be enjoyed by the various communities in the basin. This would reduce irrigation shortages, which threaten the farmers in the Yakima basin. In fact, this year we are experiencing a record drought and we have had several water short years recently; this bill would help farmers in future water short years. It would also enhance instream flows, which will aid anadromous fish by dedicating a significant portion of the saved water to instream flows. It also authorizes a number of individual projects that will improve the way the Yakima system meets the needs of the fish.

I believe this bill provides one of our best opportunities to acquire salmon habitat in the Northwest. We in the Northwest are very concerned that the salmon situation will end in an environmental/ecological train wreck much the same way the old growth forests situation has. By protecting the habitat ahead of time, this legislation will help to avoid the kind of agony that we have experienced with old growth forests. The Yakima River basin provides tremendous salmon spawning habitat—if it has enough water. I am convinced that this Federal investment will provide as great a bang in fish habitat for each Federal buck as any project in the Northwest. For this reason, it justifies the Federal cost sharing set out in the bill. Another advantage of this bill is that by using conservation, we expand the options for all users of the water.

There are a number of people who have been tremendously helpful in this process. I would like to express my appreciation to Eric Glover and Larry Vinsonhaler of the U.S. Bureau of Reclamation. I would also like to thank Urban Eberhart of the Yakima River Basin Association of Irrigation Districts, who represented the irrigation community in the negotiations in developing this bill. I am also very grateful to Bob Tuck, a fisheries biologist for the Yakima Indian Nation for his assistance.

I am extremely grateful to Chairman GEORGE MILLER of the Natural Resources Committee for making the economic and environmental well being of the Yakima basin a priority for his committee. On his staff, Steve Lanich has been very helpful and has devoted a great deal of time to this project. I would also like to thank Representative BOB SMITH, the ranking minority member of this subcommittee and Ted Case of his staff for their support.

Mr. Speaker, this bill is about preventing extinction. It is about preventing the economic extinction of family farmers in the Yakima basin, a group of people who have built one of the most productive food production endeavors in the world. It is about preventing the extinction of a number of salmon runs in the Yakima River basin. With this century's record of declining habitats, we will be judged by future generations on how we worked to prevent this extinction. With this bill, we will have one mark to show that we acted to prevent the extinction of both family farms and our grandchildren's salmon.

Mr. Speaker, this legislation meets the needs of the future in a way that is realistic. The way it was developed is, in my opinion, a model for the kind of cooperation that is needed to solve the natural resource dilemmas we will face in the Northwest and across the country. I urge my colleagues to support H.R. 1690.

Mr. ALLARD. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, again, I would like to also thank the staffs of both the majority and the minority of the subcommittee for all of the work that they have put in on behalf of this legislation.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. SPEAKER pro tempore (Mr. SANGMEISTER). The question is on the motion offered by the gentleman from California [Mr. MILLER] that the House suspend the rules and pass the bill, H.R. 1690, as amended.

The question was taken; and (two-thirds having vote in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### AMENDING THE ACT ESTABLISHING LOWELL NATIONAL HISTORICAL PARK

Mr. VENTO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4448) to amend the Act establishing Lowell National Historical Park, and for other purposes, as amended.

The Clerk read as follows:

H.R. 4448

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. AMENDMENTS.

The Act entitled "An Act to provide for the establishment of the Lowell National Historical Park in the Commonwealth of Massachusetts, and for other purposes" approved June 5, 1978 (92 Stat. 290; 16 U.S.C. 410cc et seq.), is amended as follows:

(1) In section 103(a)(2), by striking "\$33,600,000" and inserting "\$43,930,000". The amendment made by this paragraph shall take effect on October 1, 1994.

(2) In section 203, by adding at the end thereof the following new subsection:

"(c) LOAN AND GRANT AGREEMENTS.—Upon termination of the Commission, the Secretary, acting through the National Park Service, shall assume all responsibilities of the Commission for administration and oversight of the loan and grant agreements under section 303."

(3) In section 205, by adding at the end thereof the following new subsection:

"(e) LEASING AUTHORITY.—(1) In addition to other available authorities, the Secretary may, in his discretion, negotiate and enter into leases, as appropriate, with any person, firm, association, organization, corporation or governmental entity for the use of any property within the Park and Preservation District in accordance with the General Management Plan and any of the purposes set forth in section 1 of this Act.

"(2) Any leases entered into under this subsection shall be subject to such procedures, terms, conditions and restrictions as the Secretary deems necessary. The Secretary is authorized to negotiate and enter into leases or other agreements, at fair market value and without regard to section 321 of chapter 314 of the Act of June 30, 1932 (40 U.S.C. 303b). For purposes of any such lease or other agreements, the Secretary may adjust the rental by taking into account any amounts to be expended by the lessee for preservation, maintenance, restoration, improvement, repair and related expenses with respect to the leased properties.

"(3) The proceeds from leases under this subsection shall be retained by the Secretary, be available without further appropriation, remain available until expended, and be used to offset the costs of preservation, interpretation, restoration, maintenance, improvement, repair, and related expenses, including administration related to such expenses, incurred by the Secretary with respect to properties within the Park and Preservation District, with the balance used to offset other costs incurred by the Secretary in the administration of the Park.

"(4) Each lessee of a lease entered into under this subsection shall keep such records as the Secretary may prescribe to enable the Secretary to determine that all terms of the lease have been, and are being, faithfully performed.

"(5) The Secretary shall annually prepare and submit to Congress a report on property leased under this subsection."

(4) In section 301(i), by striking "seventeen" and inserting "22".



(5) In section 303(a), by amending paragraph (1) to read as follows:

"(1) The loan to the corporation shall have a maturity of 35 years. At the end of such period, the corporation shall repay to the Secretary of the Treasury (in a lump sum) for deposit in the general fund of the Treasury the full amount of the loan and any additional amounts accruing to the corporation pursuant to this subsection excepting principal and interest losses occasioned by loan defaults after all reasonable efforts at collection have been completed plus those amounts expended by the Corporation for reasonable administrative expenses. The Commission is further authorized to renegotiate the terms and conditions respecting loan repayment of the agreement dated December 8, 1980, with the Lowell Development and Financial Corporation. The authority provided in this paragraph shall be available only to the extent that appropriations for a subsidy cost, as defined in section 502 of the Congressional Budget Act of 1974, are made in advance."

(6) In section 305(g), by inserting before the period at the end thereof "for administration by the National Park Service in accordance with the general management plan".

(7) By adding after section 307 the following:

**"SEC. 308. ADVISORY COMMITTEE.**

"(a) **ESTABLISHMENT OF ADVISORY COMMITTEE.**—Upon the termination of the Commission, the Secretary shall establish a committee to be known as the Lowell National Historical Park Advisory Committee (hereinafter in this section referred to as the 'Advisory Committee').

"(b) **MEMBERSHIP.**—The Advisory Committee shall be composed of 15 members appointed by the Secretary.

"(c) **CHAIRPERSON.**—The Advisory Committee shall designate one of its members as Chairperson.

"(d) **QUORUM.**—Eight members of the Advisory Committee shall constitute a quorum. The Advisory Committee shall act and advise by affirmative vote of a majority of the members voting at a meeting at which a quorum is present. The Advisory Committee shall meet on a regular basis. Notice of meetings and agenda shall be published in local newspapers which have a distribution which generally covers the area affected by the park and preservation district. Advisory Committee meetings shall be held at locations and in such a manner as to ensure adequate public involvement.

"(e) **FUNCTIONS.**—The Advisory Committee shall advise the Secretary on the operation, maintenance, development, and programming of the park and preservation district.

"(f) **SUPPORT AND TECHNICAL SERVICES.**—In order to provide staff support and technical services to assist the Advisory Committee in carrying out its duties under this Act, upon request of the Advisory Committee, the Secretary is authorized to detail any personnel of the National Park Service to the Advisory Committee.

"(g) **PER DIEM.**—Members of the Advisory Committee shall serve without compensation but shall be entitled to travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in Government service under section 5703 of title 5, United States Code.

"(h) **FACA.**—The provisions of section 14(b) of the Federal Advisory Committee Act (5 U.S.C. Appendix; 86 Stat. 776), are hereby waived with respect to the Advisory Committee.

"(i) **VACANCIES.**—Any vacancy in the Advisory Committee shall be filled in the same manner in which the original appointment was made. Any member may serve after the expiration of his term until his successor is appointed.

"(j) **TERMINATION.**—The Advisory Committee shall terminate on June 5, 2010."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

Minnesota [Mr. VENTO] will be recognized for 20 minutes, and the gentleman from Colorado [Mr. ALLARD] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Minnesota [Mr. VENTO].

**GENERAL LEAVE**

Mr. VENTO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 4448, the bill now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. VENTO. Mr. Speaker, I yield myself such time as I am consume.

Mr. Speaker, H.R. 4448, would amend the act establishing the Lowell National Historical Park. Lowell National Historical Park was established in 1978 to preserve and interpret the nationally significant historical and cultural sites, structures, and districts in Lowell, MA. At that time, Congress established the Lowell National Historical Park Commission to complement and coordinate the efforts of the park and various other State, local, and private entities in developing and managing the historic and cultural resources of Lowell. While several projects remain to be completed, the Commission is scheduled to terminate on June 5, 1995, and the limit on authorized development funds has been reached.

H.R. 4448, introduced by Representative MEEHAN on May 18, 1994, extends the Commission for an additional 5 years, and increases the authorization level for the park. The legislation also provides for the transfer of the Commission's authorities to the National Park Service, and authorizes any revenues or assets acquired to be used for park purposes. The bill requires the Lowell Development and Financial Corporation to repay to the Secretary of the Treasury loans and interest from a low-interest loan fund established in 1978, except for any losses taken after all reasonable efforts at collection have been completed. Finally, the legislation establishes an advisory committee, following termination of the Commission, to provide input on the operation, maintenance, development, and programming of the park and preservation district.

The committee amended the bill as introduced to strengthen the language authorizing the National Park Service to assume the Commission's responsibilities for loan and grant agreements and to retain the revenues from leasing properties currently administered by the Commission for park use. This section reflects the committee's concern that such action be governed by appropriate regulation, and institutes reporting requirements on the financial records related to these provisions.

In response to concerns raised by OMB, the committee also included ad-

ditional language regarding the loan fund that would exempt the corporation from repaying principal and interest losses due to defaults to make it acceptable under the Credit Reform Act.

Finally, the committee limited the advisory committee established in the bill to 10 years. I believe the establishment of an advisory committee to be appropriate in this instance, where partnerships and community involvement play such an important role in the operation of the park. However, I also believe that such committees should not be open-ended, and in fact should be reviewed periodically to determine if their activities and membership continue to be appropriate. The 10-year sunset seems adequate for this purpose.

Mr. Speaker, Lowell is in many ways a model for the kind of partnerships and community-based parks we are trying to encourage. The private investment in the area has far outstripped Federal funding for the park. Neglected and deteriorating resources have been restored, and the park has been developed with the support and cooperation of local public and private entities. Without this legislation, however, the National Park Service would be required to assume responsibility for incomplete projects and would be left without the necessary authority to manage properties and programs currently under the jurisdiction of the Commission.

This legislation provides for the completion of projects already underway and provides for the orderly and cost effective transition from management by the community-based commission to the National Park System. This is an existing unit of the National Park Service, and the authorities contained in this bill are necessary for its continued operation.

□ 1330

Mr. Speaker, I reserve the balance of my time.

Mr. ALLARD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, although I understand there has been a remarkable effort to restore the historical values at Lowell and excellent cooperation between the Federal Government, State government and private sector, I must strongly oppose H.R. 4448.

This legislation effectively authorizes \$14 million for the Lowell National Historical Park and its Historic Preservation Commission. This is on top of the \$53.4 million already spent at the park by the National Park Service. This figure does not include millions spent for park operations and the Commission's administrative expenses.

This park has a long and controversial history. The first attempt to authorize it in 1978 resulted in a defeat on the House floor. Members were concerned about its \$40 million cost and

fears this money might be spent on urban renewal efforts.

Opponents of this legislation in 1978 included such distinguished alumni as AL GORE and Dan Quayle. They were joined by current members of the leadership as Ways and Means Chairman SAM GIBBONS, Intelligence Committee Chairman DAN GLICKMAN, and Veterans Committee Chairman SONNY MONTGOMERY. Distinguished subcommittee chairmen BILL HEFNER, ANDY JACOBS, and TOM BEVILL joined in their opposition.

Although ranking member of the Subcommittee on National Parks and Recreation Keith Sebelius supported the original authorization, he wrote in the 1978 committee report that, "This legislation, in its implementation must not be permitted to be a bottomless goodie bag of financing assistance."

Unfortunately, Mr. Sebelius' fears were well-founded because 9 years later in 1987, Congress increased the authorization for Lowell by \$13.4 million and extended the life of the Commission by 7 years. Today's legislation effectively increases that authorization by \$14 million. Examples of this Federal largesse to date include \$9.5 million for canal construction and design and \$3.6 million for a trolley system.

H.R. 4448 increases the park's development ceiling by \$10.33 million, \$5.1 million of this total will be spent to complete the canalway system. It also extends the life of the Lowell Historic Preservation Commission for 5 additional years.

In fiscal year 1993 this Commission spent \$726,000 in administrative expenses which has taken the National Park Service's annual budget. Extending it by 5 years, assuming current spending levels are frozen, will cost taxpayers an additional \$3.63 million. The fact that Congress never intended this Commission to have such a long and active life is demonstrated by the Senate Interior Committee's report on H.R. 11622 in 1978 which stated, "The role of the commission will, in all likelihood, be very minimal by 1988."

This legislation represents the second time in 7 years that Congress has been asked to increase the development ceiling for Lowell, and extended the life of the Commission.

Mr. Speaker, I believe the \$53.4 million already spent by the National Park Service at Lowell is more than enough. Moreover, because of the National Park Service's massive backlog of between \$7.4 to \$9.4 billion and our \$4.5 trillion national debt, I am astounded, this legislation is before us.

Mr. Speaker, I urge my colleagues to vote against H.R. 4448.

Mr. Speaker, I reserve the balance of my time.

Mr. VENTO. Mr. Speaker, I am pleased to have the participation this afternoon of the principal author on the floor today, the gentleman from

Massachusetts [Mr. MEEHAN]. The gentleman has done a very good job of presenting this case to the committee. Obviously, there are some questions not completely resolved in some minds, but he certainly has done a good job. I commend him for it.

Mr. Speaker, I yield such time as he may consume to the gentleman from Massachusetts [Mr. MEEHAN].

Mr. MEEHAN. I thank the gentleman for yielding this time to me.

Mr. Speaker, I rise today to ask support for H.R. 4448, a bill to amend the act establishing Lowell National Historical Park.

I appreciate the assistance of the gentleman from Minnesota, Chairman VENTO. His efforts and support have improved this bill. I am grateful for his help and guidance.

In 1978, the Congress created the Lowell National Historical Park. In doing so, it recognized the pivotal part that Lowell played in the American Industrial Revolution. This Nation's industry began in Lowell. The city's industrial mill buildings, canal system, historic buildings and ethnic and cultural diversity are important monuments to America's transition from an agrarian to an industrial economy. Congress has acknowledged these assets to be nationally significant. The act made Lowell a unit of the National Park Service and created the Lowell Historic Preservation Commission. The Commission membership consists of 15 members representing local, State, and Federal Government and the private sector. This unique partnership is charged with preserving and interpreting cultural and historic assets, especially the 5-mile canal system and privately owned historic structures.

Seven years ago, the Congress reauthorized the Lowell Historic Preservation Commission. Today, I am asking you to support the orderly phase-down and termination of the Commission so that it may complete its tasks in accordance with the intent of the original law.

The Commission's essential work is not finished. The Lowell community has wrestled with preparing to phase out the Commission, while ensuring that the National Park Service will not be left with unanticipated burdens. This bill is intended to address these concerns.

The legislation includes the following provisions:

Extends the Commission for 5 years to allow adequate time to complete its responsibilities.

Provides necessary financial resources—\$10.33 million over 5 years—to complete the physical restoration of the canal system and to preserve privately owned historic structures.

When the Commission ends, it authorizes the National Park Service to assume oversight and administrative functions for loan programs, leases and ownership of property and easements.

Upon termination of the Commission, establishes an unpaid advisory committee to the Park Service which would end in 2010.

It facilitates private investment by clarifying the obligations of a local not-for-profit corporation which administers the Commission's historic preservation loan program.

Mr. Speaker, the Lowell Commission is a model for Government cooperation and effectiveness. It encourages private investment in historic preservation. Thus, it achieves successes which the Federal Government could not accomplish on its own. Through its loan and grant programs, the Commission helped to preserve and restore 63 privately owned buildings leveraging over \$9 of private investment for every Commission dollar. The Commission has been cost-conscious as well. Ninety-five percent of the land for the canalway was acquired through donations.

□ 1340

Project engineering and design costs were reduced by 60 percent through elimination of outside consultants. If you visit the Lowell Park, I know that you will be impressed by the quality of the Commission's efforts.

Secretary of Interior Babbitt and Park Service Director Kennedy were impressed when they came to the Lowell Park last year. And, this year, the National Park Service supported passage of the bill at the hearings conducted by Chairman VENTO and his committee. The bill also is supported by the city of Lowell, the Massachusetts Historic Commission, Gov. William Weld, Historic Massachusetts, Inc., and Preservation Action, Inc., among others.

This legislation strikes a responsible balance. It seeks the minimum amount of resources required to protect the public investment that has already been made in Lowell. It contains no boundary expansions or new project initiatives. It only allows the Commission to complete the type of projects which the Congress has approved previously. It permits the orderly and efficient transition of Commission functions to the private sector and the Park Service. In fact, the Commission has already transferred its cultural programs to nonprofit sponsors.

The national significance of Lowell's historic resources and the quality and importance of its interpretive programs are well established. The Lowell Commission was the first of its kind to be created within the Department of the Interior and it will be the first to go out of business. It seeks to utilize the considerable experience and expertise of the Commission members and staff so that it can terminate with its projects completed and with a cost effective transition process.

Mr. Speaker, I ask my colleagues to support H.R. 4448. Passage will ensure



the preservation of important national assets for future generations, and it will enhance the public investments that have been made there and protect and interpret a significant part of our heritage. I would also point out that there are a number of reasons why the transition has taken more time than originally anticipated. The transfer of canal property rights and ownership from the Commonwealth of Massachusetts to the commission required State legislation. Land donations were delayed due to bankruptcy of land owners. Detection of hazardous waste that was found in many of the sites required testing and cleanup. Structural problems encountered along several of the canal walls required additional work as well.

Therefore, I urge, Mr. Speaker, my colleagues to approve this important legislation which would enable the Lowell Historic Park Commission to go out of business, but not before completing its mission.

Mr. ALLARD. Mr. Speaker, I have no further requests for time on this side.

Mr. VENTO. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I was interested in the recitation of the gentleman from Colorado [Mr. ALLARD] of the history of 16-17 years ago of who voted for and who voted against the initial proposition of then-Congressman Paul Tsongas on the floor of the House of Representatives. I might point out also, Mr. Speaker, of course supported by Senator Ed Brooke at the time, a big advocate of Lowell, and clearly, I think, as the gentleman from Massachusetts [Mr. MEEHAN] has pointed out, the reasons for the delay are being articulated in terms of the fact that there was toxic waste, and while we were not responsible for it, and the Federal Government did not pay for the cleanup, it did delay the work of being able to move forward. The canals are key, of course, to the power system of Lowell; it was operated on the basis of this sort of waterfall or water power. The fact is that the walls of those canals needed substantially more repair than was anticipated.

Well, Mr. Speaker, that can happen. I suppose we do not all have experts around that can judge the condition of 150-year-old canals, and so that is understandable, that there was bankruptcy, a failure of a company, as he indicated, that necessitated an eminent domain proceeding. Fortunately the Park Service had the power to act on that, but again it was expensive from a time phase, and in the 1980's, Mr. Speaker, frankly many parks that needed funding and the parks that need funding today are not receiving it.

Very often, Mr. Speaker, my colleagues are concerned about the designation of new parks when existing units are suffering. Here is a chance. What we are asking is to let this park

have the authorization, if they can make their case before the Committee on Appropriations and this can be signed into law, that they would be able to access the type of funding they needed. The commission; I think it is a judgment call as to the length of it, but they have been managing the loans. Again, of the costs that are associated here is the default on a loan. When that defaults, we really expect the commission to be able to somehow take out of the Park Service revenue the loss of a loan. I really do not think that that is what is anticipated.

So, even though the grant and loan process has, in fact, made money, and has been very, very successful, I think that, if there was some question about the commission and the necessity of it working successfully, there would be valid questions that have been raised on the floor today.

But that is not the case here. This has been a successful working commission. I think all too often we get in the habit of asking for commissions, and they really end up being do-nothing commissions. They are really there in terms of having a responsibility and do not fulfill the role.

But here is an active, working commission, and so for that reason I have been persuaded to support this. I hope that I can persuade my colleagues. I say to the gentleman, "You didn't mention, Mr. ALLARD, that of course, when I was recorded in terms of this vote, I voted for it in 1978, and I'm asking Members to continue to give the benefit of the doubt to the Paul Tsongases and others that have advocated this position."

Mr. Speaker, it is a successful park. It is one we should remain committed to. I would hope today on the floor that Members would support this and support the idea of this. It is an important resource for America.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. ALLARD. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SANGMEISTER). The question is on the motion offered by the gentleman from Minnesota [Mr. VENTO] that the House suspend the rules and pass the bill, H.R. 4448, as amended.

The question was taken.

Mr. ALLARD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5, rule I, and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### ESTABLISHING THE NEW BEDFORD WHALING NATIONAL HISTORICAL PARK IN NEW BEDFORD, MA

Mr. VENTO. Mr. Speaker, I move to suspend the rules and pass the bill—

H.R. 3898—to establish the New Bedford Whaling National Historical Park in New Bedford, MA, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3898

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds that—

(1) the New Bedford National Historic Landmark District and associated historic sites as described in section 3(b) of this Act, including the Schooner Ernestina, are National Historic Landmarks and are listed on the National Register of Historic Places as historic sites associated with the history of whaling in the United States;

(2) the city of New Bedford was the 19th century capital of the world's whaling industry and retains significant architectural features, archival materials, and museum collections illustrative of this period;

(3) New Bedford's historic resources provide opportunities for illustrating and interpreting the whaling industry's contribution to the economic, social, and environmental history of the United States and provide opportunities for public use and enjoyment; and

(4) the National Park System presently contains no sites commemorating whaling and its contribution to American history.

(b) PURPOSES.—The purposes of this Act are—

(1) to preserve, protect, and interpret the resources within the areas described in section 3(b) of this Act, including architecture, setting, and associated archival and museum collections;

(2) to collaborate with the city of New Bedford and with local historical, cultural, and preservation organizations to further the purposes of the park established under this Act; and

(3) to provide opportunities for the inspirational benefit and education of the American people.

#### SEC. 2. DEFINITIONS.

For the purposes of this Act:

(1) The term "park" means the New Bedford Whaling National Historical Park established by section 3.

(2) The term "Secretary" means the Secretary of the Interior.

#### SEC. 3. NEW BEDFORD WHALING NATIONAL HISTORICAL PARK.

(a) ESTABLISHMENT.—In order to preserve for the benefit and inspiration of the people of the United States as a national historical park certain districts, structures, and relics located in New Bedford, Massachusetts, and associated with the history of whaling and related social and economic themes in America, there is established the New Bedford Whaling National Historical Park.

(b) BOUNDARIES.—(1) The boundaries of the park shall be those generally depicted on the map numbered NAR-P49-80000-4 and dated June 1994. Such map shall be on file and available for public inspection in the appropriate offices of the National Park Service. The park shall include the following:

(A) The area included within the New Bedford National Historic Landmark District, known as the Bedford Landing Waterfront Historic District, as listed within the National Register of Historic Places and in the Massachusetts State Register of Historic Places.

(B) The National Historic Landmark Schooner Ernestina, with its home port in New Bedford.

(C) The land along the eastern boundary of the New Bedford National Historic Landmark District over to the east side of MacArthur Drive from the Route 6 overpass on the north to an extension of School Street on the south.

(D) The land north of Elm Street in New Bedford, bounded by Acushnet Avenue on the west, Route 6 (ramps) on the north, MacArthur Drive on the east, and Elm Street on the south.

In case of any conflict between the descriptions set forth in subparagraphs (A) through (D) and the map referred to in this subsection, the map shall govern.

(2) In addition to the sites, areas and relics referred to in paragraph (1), the Secretary may assist in the interpretation and preservation of each of the following:

(A) The southwest corner of the State Pier.

(B) Waterfront Park, immediately south of land adjacent to the State Pier.

(C) The Rotch-Jones-Duff House and Garden Museum, located at 396 County Street.

(D) The Wharfinger Building, located on Piers 3 and 4.

(E) The Bourne Counting House, located on Merrill's Wharf.

#### SEC. 4. ADMINISTRATION OF PARK.

(a) IN GENERAL.—The park shall be administered by the Secretary in accordance with this Act and the provisions of law generally applicable to units of the national park system, including the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2, 3, and 4) and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461-467).

(b) COOPERATIVE AGREEMENTS.—(1) The Secretary may consult and enter into cooperative agreements with interested entities and individuals to provide for the preservation, development, interpretation, and use of the park.

(2) Funds authorized to be appropriated to the Secretary for the purposes of this subsection shall be expended in the ratio of one dollar of Federal funds for each dollar of funds contributed by non-Federal sources. For the purposes of this subsection, the Secretary is authorized to accept from non-Federal sources, and to utilize for purposes of this Act, any money so contributed. With the approval of the Secretary, any donation of land, services, or goods from a non-Federal source may be considered as a contribution of funds from a non-Federal source for the purposes of this subsection.

(3) Any payment made by the Secretary pursuant to a cooperative agreement under this subsection shall be subject to an agreement that conversion, use, or disposal of the project so assisted for purposes contrary to the purposes of this Act, as determined by the Secretary, shall result in a right of the United States to reimbursement of all funds made available to such project or the proportion of the increased value of the project attributable to such funds as determined at the time of such conversion, use, or disposal, whichever is greater.

(c) LIMITATION ON FUNDS.—Funds authorized to be appropriated to the Secretary for operation and maintenance of the schooner *Ernestina* may not exceed 50 percent of the total costs of such operation and maintenance and may not exceed \$300,000 annually.

(d) ACQUISITION OF REAL PROPERTY.—The Secretary may acquire, for the purposes of the park, by donation, exchange, lease or purchase with donated or appropriated funds, lands, interests in lands, and improvements thereon within the park except that (1) lands, and interests in lands, within the boundaries of the park which are owned by the State of Massachusetts or any political subdivision thereof, may be acquired only by donation, and (2) lands, and interests in lands, within the boundaries of the park which are not owned by the State of Massachusetts or any political subdivision thereof may be acquired only with the consent of the owner thereof unless the Secretary determines, after written notice to the owner and after opportunity for comment, that the property is

being developed, or proposed to be developed, in a manner which is detrimental to the integrity of the park or which is otherwise incompatible with the purposes of this Act.

(e) OTHER PROPERTY, FUNDS, AND SERVICES.—The Secretary may accept donated funds, property, and services to carry out this Act.

#### SEC. 5. GENERAL MANAGEMENT PLAN.

Not later than the end of the second fiscal year beginning after the date of enactment of this Act, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a general management plan for the park and shall implement such plan. The plan shall be prepared in accordance with section 12(b) of the Act of August 18, 1970 (16 U.S.C. 1a-7(b)) and other applicable law.

#### SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out this Act, but not more than \$10,400,000 is authorized to be appropriated for construction, acquisition, restoration, and rehabilitation of visitor and interpretative facilities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota [Mr. VENTO] will be recognized for 20 minutes, and the gentleman from Colorado [Mr. ALLARD] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Minnesota [Mr. VENTO].

#### GENERAL LEAVE

Mr. VENTO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 3898.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. VENTO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 3898, introduced by Representative BARNEY FRANK, would establish the New Bedford Whaling National Historical Park in New Bedford, MA. The city of New Bedford became the center of the whaling industry at its peak between 1820 and 1860, and also represents associated whaling-related themes such as immigration, the expansion of trade and exploration, as well as conservation of natural resources.

The National Park Service, in cooperation with the Waterfront Historic Area League [WHALE] in New Bedford, has studied the resources of New Bedford, and has concluded that the area meets the criteria for national significance, as well as suitability and feasibility for inclusion in the National Park System. H.R. 3898 establishes the New Bedford Whaling National Historical Park in New Bedford, MA to interpret the history of whaling and related social and economic themes. The park would consist of the current New Bedford National Historic Landmark District, the Schooner *Ernestina*, also a national historic landmark, and additional property adjacent to the landmark district as described in the legislation.

The Committee on Natural Resources made several changes to the bill as introduced. The bill, as amended, requires an equal match for Federal funding for operation and maintenance of the Schooner *Ernestina*, and limits the Federal contribution to \$300,000 annually for this purpose. The bill also requires an equal match, whether in funds or in-kind contributions, for activities undertaken pursuant to cooperative agreements authorized by the legislation. Interested parties at both the State and local level have demonstrated strong commitment to developing and establishing this park. Testimony received at the hearing indicated that this support would continue, and I believe these provisions encourage further participation.

The section authorizing acquisition of property has been redrafted to conform with standard National Park Service acquisition authority. Additionally, the committee limited this authority to acquiring lands within the park boundaries only with the owner's consent unless the Secretary determines that property is being developed or proposed to be developed in a manner detrimental to the purposes of the park. Within this park boundary, property is primarily under private ownership. The National Park Service has testified that acquisition will only be necessary for the construction of visitor and interpretive centers. While some have advocated limiting acquisition only for these purposes, I do not believe that the Secretary should be constrained from acquiring property as necessary to advance the purposes of the park. This language I believe satisfies the objections of some of the unlimited acquisition authority while protecting the park from adverse development. Finally, the bill limits the authorization for developing and constructing visitor and interpretive centers to \$10.4 million in accordance with National Park Service estimates.

Mr. Speaker, this is a new park which will preserve and interpret resources representing themes not addressed at current National Park Service units. I believe this addition is important; the bill has been drafted to assure appropriate preservation while limiting the Federal obligation for operating the park. This is an important and cost-effective addition, and I urge my colleagues' support.

□ 1350

Mr. Speaker, I reserve the balance of my time.

Mr. ALLARD. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I rise today to address H.R. 3898, the New Bedford Whaling National Historical Park. This area does have national merit and does deserve some recognition by the National Park Service. The story of the American whaling industry is not portrayed in



any other national park. However, as is often the case with new park legislation, the authorization level is too high. This bill authorizes \$10.4 million for a visitor center and has an open ended authorization for land acquisition. Except for the high price tag involved, the New Bedford Whaling Park is worthy of our consideration.

Mr. Speaker, I reserve the balance of my time.

Mr. VENTO. Mr. Speaker, I yield such time as he may consume to the gentleman from Massachusetts [Mr. FRANK], the principal sponsor of this bill, who has done really a great job in shepherding this measure through the committee.

Mr. FRANK of Massachusetts. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, let me note that joining us on the floor now is my neighbor, the gentleman from Massachusetts [Mr. BLUTE]. This project was originally brought forward by my predecessor, the gentleman from Massachusetts [Mr. STUDDS], the Representative of the city of New Bedford, who now chairs the Committee on Merchant Marine and Fisheries.

By the time our friends in the legislature had divided up the districts, I had a part of the New Bedford District, and Mr. BLUTE also had a part of it.

So this is a joint venture in terms of our support, and it is also a joint venture of the State.

Let me say that I appreciate the legitimate concerns of those on the other side, because really we do have fiscal problems and we do not want to overpromise. That is why one of the things we made sure of was that the State of Massachusetts legally committed itself, for instance, to the schooner, *Ernestina*. I know that there had been problems in the past with the question of gifts that became burdens, but in this case we have State legislation already passed, and the State commission already sworn in, and the State of Massachusetts has undertaken the ongoing financial commitment. They have already brought the ship up to code. They have already paid off the debt, that this would be a 50-50 process.

Similarly, with regard to land acquisition, we do not expect there to be any other than for the visitors' center. It is all subject to appropriation. There is no entitlement to anything in here.

By the way, it does restrict this to a willing seller, so there is no eminent domain power in here. If it should turn out a year from now or 5 years from now, or whenever, that there is a consensus that maybe the Park Service ought to acquire another parcel of land, I would certainly feel a commitment to come and discuss that and not try to do it if there was any significant opposition to it.

The GAO report says that for several years this will cost less than a million

dollars a year. It is out of the regular budget.

I also want to say that we resisted the usual temptations. I want to thank my friend, the gentleman from Minnesota [Mr. VENTO], because some of the people in the area said, "Well, the way you do this is you go to the Appropriations Committee" and you bypass this and bypass that. I consulted with the gentleman from Minnesota and his very able staff, and they confirmed my view that that was not the way to go, that the way to go was, in fact, to go through the process, to go through the regional park service, to go through the Park Service, and do this in a very orderly way. This has been done in an orderly way. No Federal money has been spent on this yet because there has not been anything other than the study which was legally authorized through the gentleman who preceded me.

After the commission recommended it and after the Park Service said it was recommended, my colleague, the gentleman from Massachusetts [Mr. BLUTE], and I went to the committee and we tried very much to do that, so I appreciate the legitimate concerns.

I do believe this is a park of great historical significance. Let me stress one thing about it that I believe is very important. People are familiar with the strains that now exist with the fishing industry. One of the problems we have had is that there is often a conflict between the people concerned with environmental matters, with cultural matters, and with historical preservation and those engaged in ongoing economic activity. I am very pleased to be able to report this—and I know the gentleman from Massachusetts [Mr. BLUTE] will be able to back me up—that the fishermen who work here and the conservationists, the people concerned with America's heritage, and the people concerned with America's economic well-being are absolutely in concert.

I think frankly this is a good example of how we can all work together. That is why we do not want any land taking here. This is a working waterfront. We are not trying to interfere with economic activity. We are trying to show the continuity in America's cultural history.

So I thank very much the gentleman from Minnesota [Mr. VENTO]. He and his staff have been very good guides in this matter.

Mr. Speaker, if the gentleman from Colorado [Mr. ALLARD] would like to have me yield to him, I would yield at this point.

Mr. ALLARD. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I would just make this point. In the gentleman's district he has fishermen that he deals with, and in my district we have farmers, and I think they all realize that they have to

protect their environment because their livelihoods depend on that. If they do not properly conserve that, they are not going to benefit. So I appreciate that point the gentleman from Massachusetts is making.

Mr. FRANK of Massachusetts. Mr. Speaker, I thank the gentleman from Colorado.

What we have found out is that the practitioners are often the most sensible environmentalists because they have not only the love for the land, because you do not go into fishing or into farming purely for economic reasons, but there is a commitment, an emotional commitment, as well, and with that also comes an understanding. So I thank the gentleman from Colorado.

Mr. ALLARD. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts [Mr. BLUTE], a new Member of the House of Representatives.

Mr. BLUTE. Mr. Speaker, I thank my colleague, the gentleman from Colorado [Mr. ALLARD] for yielding me this time. I would also like to thank the gentleman from Massachusetts [Mr. FRANK] and commend him for his leadership on this bill.

Mr. Speaker, "Call me Ishmael." With these three words begin one of the greatest American literary works of all time, Herman Melville's "Moby Dick."

We all know the story of Moby Dick, the great white whale, and his relentless pursuer Captain Ahab. This story is required reading in most school districts throughout the country, because the tale it tells of the golden age of whaling in America is such an important part of our heritage.

For the better part of the 19th century, whaling was one of the most important elements of our Nation's economy. Whaling provided the lamp oil which lit 19th century homes; spermaceti, from which fine quality candles were made; and bone from which corsets, sewing needles and scrimshaw jewelry were fashioned. These products alone generated a tremendous amount of wealth for this country in the early to mid-1800's.

More importantly, though, whaling provided the lubricant for the machines which drove this Nation into the Industrial Revolution, transforming our entire economy from an agricultural to a manufacturing one. Without question, whaling is a critical part of our national fabric, our very identity as an industrial power.

Which is why H.R. 3898 is so important and so very justified.

This legislation will serve to preserve and protect a legitimate piece of Americana: a slice of life from days-gone-by which must not be allowed to fade from memory. By establishing a Whaling National Historical Park in southeastern Massachusetts, in New Bedford, which is the whaling capital of the world, we will ensure that future generations will never forget one of the most romantic eras of America's past.

There exist in New Bedford today the makings of a fantastic national treasure. The Whaling Museum alone has a wonderful collection of maps, models, charts and artifacts that date back almost 200 years. Items which are worthy of display in the Smithsonian Institution. They paint a vivid picture of the America of the past. When you combine the museum with the whaling boats, the magnificent mansions, the libraries and gardens of Old New Bedford, you have a spectacular national park.

I, as well as Gov. William Weld, strongly support this legislation and the concept of the whaling national park. I feel that this is an extremely worthwhile and justified proposal that our children and our children's children will thank us for. I ask my colleagues to please vote "yes."

□ 1400

Mr. ALLARD. Mr. Speaker, I yield back the balance of my time.

Mr. VENTO. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota [Mr. VENTO] that the House suspend the rules and pass the bill, H.R. 3898, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### LOWER EAST SIDE TENEMENT NATIONAL HISTORICAL SITE ACT OF 1994

Mr. VENTO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4158) to establish the Lower East Side Tenement Museum National Historic Site, as amended.

The Clerk read as follows:

H.R. 4158

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Lower East Side Tenement National Historic Site Act of 1994".

#### SEC. 2. DEFINITIONS.

As used in this Act:

(1) The term "historic site" means the Lower East Side Tenement National Historic Site established by section 4.

(2) The term "Museum" means the Lower East Side Tenement Museum, an education corporation chartered under the laws of the State of New York.

(3) The term "Secretary" means the Secretary of the Interior.

#### SEC. 3. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds that—

(1) the Lower East Side Tenement at 97 Orchard Street, New York, New York, is an outstanding survivor of the vast number of humble buildings in New York City that housed immigrants to the United States during the greatest wave of immigration in American history;

(2) the Lower East Side Tenement is well suited to represent a profound social movement involving great numbers of unexceptional but courageous people;

(3) between 1880 and 1921, almost three-quarters of the immigrants to the United States entered the country through New York Harbor, most passed through immigration stations at Ellis Island and, earlier, Castle Clinton, both of which have been designated as national monuments, and millions of these immigrants made their way to the Lower East Side of New York City;

(4) no other single identifiable neighborhood in the United States absorbed a comparable number of immigrants;

(5) the Museum is dedicated to interpreting immigrant life on the Lower East Side and its importance to United States history, and is located within a neighborhood long associated with the immigrant experience in America;

(6) the tenement building at 97 Orchard Street has been designated as a National Historic Landmark, and possesses a historic fabric of exceptional integrity dating from the period of peak immigration to the United States; and

(7) the National Park Service has found the Lower East Side Tenement to be nationally significant and to be best protected and interpreted through designation as an affiliated area of the National Park System while remaining under private ownership and management.

(b) PURPOSES.—The purposes of this Act are—

(1) to assure the preservation, maintenance, and interpretation of the Lower East Side Tenement and to interpret, in the tenement and the surrounding neighborhood, the themes of early tenement life, the housing reform movement, and tenement architecture in the United States;

(2) to assure the continuation at this site of the Lower East Side Tenement, the preservation of which is necessary for the continued interpretation of the nationally significant immigrant phenomenon associated with the Lower East Side of New York City and the role of the phenomenon in the history of immigration to the United States; and

(3) to enhance the interpretation of the Castle Clinton National Monument and Ellis Island National Monument through cooperation with the Lower East Side Tenement National Historic Site.

#### SEC. 4. DESIGNATION OF HISTORIC SITE.

In order to further the purposes of this Act and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.), the Lower East Side Tenement at 97 Orchard Street, New York, New York, is hereby designated as a national historic site.

#### SEC. 5. COOPERATIVE AGREEMENT.

(a) IN GENERAL.—In furtherance of the purposes of this Act and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.), the Secretary may enter into a cooperative agreement with the Museum to effectuate the purposes of this Act.

(b) TECHNICAL AND FINANCIAL ASSISTANCE.—Any agreement entered into under subsection (a) may include provisions by which the Secretary will provide technical assistance to mark, restore, interpret, operate, and maintain the historic site. Such an agreement may also include provisions by which the Secretary will provide financial assistance to mark, interpret, and restore the historic site (including financial assistance for the making of preservation-related capital improvements and repairs, but not including financial assistance for other routine operations).

(c) ADDITIONAL PROVISIONS.—Any agreement entered into under subsection (a) shall contain provisions that—

(1) the Secretary, acting through the National Park Service, shall have the right of access at

all reasonable times to all public portions of the property covered by such agreement for the purpose of conducting visitors through such property and interpreting the property to the public; and

(2) no changes or alterations may be made in property covered by the agreement except by mutual agreement between the Secretary and the other parties to the agreement entered into under subsection (a).

#### SEC. 6. REPORT.

The Museum shall, as a condition of the receipt of any assistance under this Act, provide to the Secretary and to the Congress an annual report documenting the activities and expenditures for which any such assistance was used during the fiscal year preceding the report.

#### SEC. 7. APPROPRIATIONS.

There is hereby authorized to be appropriated \$6,400,000 to carry out the purposes of this Act, such sums to remain available until expended.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota [Mr. VENTO] will be recognized for 20 minutes, and the gentleman from Colorado [Mr. ALLARD] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Minnesota [Mr. VENTO].

#### GENERAL LEAVE

Mr. VENTO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 4158, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. VENTO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 4158, introduced by Representative VELÁZQUEZ, would establish the Lower East Side Tenement National Historic Site. The Lower East Side Tenement Museum is a nonprofit institution dedicated to telling the story of immigrant life in the Lower East Side of New York. The museum has arranged to acquire 97 Orchard Street, a tenement building which had been erected in the mid-1860's and sealed from the mid-1930's until its acquisition by the museum. The building is a national historic landmark, and the museum interprets the immigrant experience in the area from arrival at Ellis Island through assimilation during the 70 years the tenement housed immigrants.

A National Park Service study has determined that the tenement meets the criteria for significance, suitability and feasibility for inclusion in the National Park System, and that affiliated status would provide the most appropriate avenue for NPS involvement.

H.R. 4158, as amended by the Committee on Natural Resources, establishes the Lower East Side Tenement National Historic Site to interpret the themes of early tenement life, the housing reform movement, and tenement architecture in the United States. The legislation authorizes the Secretary to provide technical and financial assistance to mark, restore, interpret, operate and maintain the site.



Capital improvements and repairs are also authorized. Finally, the bill, as amended, limits overall Federal funding to \$6.4 million, the amount the National Park Service estimated would be the Federal contribution necessary to restore the tenement building and provide for visitor and interpretive services.

The moving testimony received at the hearing on this bill indicated the significance of this resource and its importance in understanding the American immigrant experience. Enactment of this legislation will assure the recognition of this aspect of American history and culture, and I urge my colleagues' support.

Mr. Speaker, I reserve the balance of my time.

Mr. ALLARD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, although I commend the Lower East Side Tenement Museum for its remarkable achievements in 6 short years, I strongly oppose H.R. 4158, which essentially amounts to a Federal bailout of this institution.

Like the bill's proponents, and I actually was mistakenly listed as a cosponsor, I believe the amazing history of immigration to the United States needs to be told. Indeed it is remarkable that between 1880 and 1921 nearly 75 percent of immigrants to the United States entered through New York harbor.

Fortunately, this amazing chapter of American history is already being told by the National Park Service. In the New York area alone, National Park Service monuments such as Clinton Castle in Manhattan and the Statue of Liberty—which includes Ellis Island—are already doing this. As a result, there is no need for the National Park Service to fund a similar effort in the same area.

This legislation authorizes the National Park Service to spend \$6.4 million for technical and financial assistance to the Lower East Side Tenement Museum. If this bill is enacted, what will prevent the museum from coming back to Congress for more money in the future? This is exactly what is happening today with the Lowell National Historical Park in Massachusetts where that park has come back to Congress twice in 7 years for more money.

Moreover, at a time when the National Park System has a backlog of between \$7.4 and \$9.4 billion for existing parks, how can we possibly create yet another questionable demand on that agency's budget?

Mr. Speaker, H.R. 4158 sets an extremely dangerous and potentially expensive precedent whereby private nonprofit museums replace private philanthropy with millions from the Federal Treasury. I am sure this museum would tell you that private fundraising has diminished ever since their contributors learned the Federal Government would chip in \$6.4 million.

If we really want to destroy private philanthropy in this country we will pass more bills like this one. Voluntary contributions from citizens, business, and foundations which are a time-honored tradition in this country will be replaced by Federal funds which are involuntarily taken from these same sources.

I urge my colleagues to vote against this legislation, which, if passed, paves the way for other private institutions to come to Congress and seek their own sweetheart deals.

Mr. Speaker, I reserve the balance of my time.

Mr. VENTO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me just take a minute and say I think this is a very modest proposal which greatly enhances the visitor experience in terms of its coordination with Ellis Island and the Statue of Liberty, which has been an amazing success. There has been a lot of private dollars invested in this. There is a significant private commitment into the future.

It is obviously a request for Federal participation in terms of an affiliated status with really what represents a modest investment on the part of the Federal Government, and is a good way to build a partnerships to achieve the goals, the enhancement of the experience in terms of Ellis Island and the Statue of Liberty, in which we have spent literally hundreds of millions of dollars, much of it privately raised, again, Mr. Speaker, in recent years.

I would hope that my colleagues would support this. I do not know what type of configuration there will be. We look at a city like New York, a new mayor and all the problems they have, and I think this really deserves the type of effort being put forth here, because New York was such an important gateway in terms of the immigrant experience. It is something that goes along with the theme of the Park Service, and they support it.

□ 1410

The administration supports it. I would hope that my colleagues would support the important bill of the gentlewoman from New York [Ms. VELÁZQUEZ].

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. ALLARD. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SANGMEISTER). The question is on the motion offered by the gentleman from Minnesota [Mr. VENTO] that the House suspend the rules and pass the bill, H.R. 4158, as amended.

The question was taken.

Mr. ALLARD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

# RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until 4:45 p.m.

Accordingly (at 2 o'clock and 10 minutes p.m.) the House stood in recess until 4:45 p.m.

□ 1646

# AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CARDIN) at 4 o'clock and 46 minutes p.m.

# PERMISSION FOR COMMITTEE ON AGRICULTURE TO FILE REPORT ON H.R. 4217, FEDERAL CROP INSURANCE REFORM ACT OF 1994

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture have until midnight tonight to file a report on the bill (H.R. 4217) to reform the Federal Crop Insurance Program and for other purposes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

# CONFERENCE REPORT ON H.R. 4453, MILITARY CONSTRUCTION APPROPRIATIONS ACT, 1995

Mr. HEFNER. Mr. Speaker, I call up the conference report on the bill (H.R. 4453) making appropriations for military construction for the Department of Defense for the fiscal year ending September 30, 1995, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to the rule, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of July 27, 1994, at page H6351.)

The SPEAKER pro tempore. The gentleman from North Carolina [Mr. HEFNER] will be recognized for 30 minutes, and the gentlewoman from Nevada [Mrs. VUCANOVICH] will be recognized for 30 minutes.

The Chair recognizes the gentleman from North Carolina [Mr. HEFNER].

# GENERAL LEAVE

Mr. HEFNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the conference report and the amendments in disagreement on the bill, H.R. 4453, and that I be allowed to

include extraneous and tabular material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. HEFNER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the conference report we present to the House today for military construction, family housing, and base closure contains agreements on about 250 line items. The conference agreement recommends a total appropriation of \$8.8 billion which is \$628 million under last year's program level. The conference agreement is under the section 602(b) allocation for both budget authority and outlays.

Mr. Speaker, we have 15 amendments in disagreement. One of the amendments in disagreement, Senate amendment No. 29, invades the jurisdiction of our Transportation Subcommittee because it would appropriate funds to a Department of Transportation program in a Department of Defense military construction bill. For that reason, I will, at the appropriate time, offer a motion to insist on the House position regarding amendment No. 29. The effect of my motion would be to delete the appropriation proposed by the Senate for the Coast Guard.

Mr. Speaker, we went into conference with 250 items in disagreement which amounted to \$1.5 billion. In other words, if we were to agree to the high mark of the Senate or House rec-

ommendations that were before us in conference, we would exceed our allocation by \$750 million. So, we had to compromise on a package that in effect dropped many projects from the House-passed recommendation. The Senate had to, likewise, drop many of their project recommendations. We did the best we could do, given the budget constraints we had to work with.

Regarding authorization, let me say that we have had an excellent relationship with the Armed Services Committee over the years in coordinating and reflecting their priorities. This year is no exception.

Members should realize that while the conference agreement is \$628 million under last year's level, the military construction portion of the bill is \$1.2 billion under last year's level. In contrast to reductions in military construction, base closure funding in the amount of \$2.7 billion constitutes an increase over last year's level by \$501 million.

I would also note that this conference agreement provides funding in the amount of \$2.8 billion to operate and maintain a housing inventory of about 400,000 existing units.

When funding for family housing operation and maintenance is combined with base closure funding, these two segments of the bill constitute about 62 percent of the bill.

The conference agreement provides for many current mission and new mission requirements. Some of the fea-

tures are: New barracks to replace vintage structures; environmental compliance projects to meet more stringent State and Federal environmental laws; new family housing units which is an important quality of life feature; child development centers which constitute an important quality of life feature; energy conservation initiative which has a great payback in energy savings; medical facilities such as hospitals and clinics which constitute an important quality of life feature; and initial funding for chemical weapons destruction facilities at two locations.

With regard to infrastructure funding for the North Atlantic Treaty Organization, the conference agreement provides for \$119 million which is a reduction of \$21 million under last year's level and \$100 million less than requested by the administration.

I want to express my appreciation to all the members of the Subcommittee and especially our ranking minority member, Mrs. VUCANOVICH. It is a pleasure to work with the gentlelady. This is why we are presenting to you a bipartisan conference report and good agreement given the budget constraints we have to work with. I also want to thank Chairman OBEY for his leadership so that we can bring this conference report to the floor.

Below is a comparative statement of budget authority.



## MILITARY CONSTRUCTION APPROPRIATIONS BILL, 1995 (H.R. 4453)

	FY 1994 Enacted	FY 1995 Estimate	House	Senate	Conference	Conference compared with enacted
Military construction, Army.....	906,676,000	890,576,000	823,511,000	489,076,000	550,476,000	-356,200,000
Rescission 1/2/.....	-36,219,000					+36,219,000
Total, Military construction, Army (net).....	870,457,000	890,576,000	823,511,000	489,076,000	550,476,000	-319,861,000
Military construction, Navy.....	681,373,000	320,470,000	482,701,000	340,455,000	385,110,000	-298,263,000
Rescission 1/2/.....	-138,566,000					+138,566,000
Total, Military construction, Navy (net).....	544,777,000	320,470,000	482,701,000	340,455,000	385,110,000	-159,867,000
Military construction, Air Force.....	1,021,567,000	357,313,000	514,977,000	525,863,000	516,813,000	-504,754,000
Rescission 1/2/.....	-54,882,000					+54,882,000
Total, Military construction, Air Force (net).....	966,685,000	357,313,000	514,977,000	525,863,000	516,813,000	-449,872,000
Military construction, Defense-wide.....	562,008,000	481,729,000	487,169,000	581,039,000	504,116,000	-57,800,000
Rescission 1/2/.....	-29,163,000					+29,163,000
Total, Military construction, Defense-wide (net).....	532,845,000	481,729,000	487,169,000	581,039,000	504,116,000	-28,727,000
Total, Active components (net).....	2,914,784,000	1,850,088,000	2,088,358,000	1,916,433,000	1,956,517,000	-958,247,000
Military construction, Army National Guard.....	302,719,000	9,929,000	134,235,000	170,479,000	186,062,000	-114,857,000
Rescission 2/.....	-7,568,000					+7,568,000
Total, Military construction, Army National Guard (net).....	295,151,000	9,929,000	134,235,000	170,479,000	186,062,000	-107,086,000
Military construction, Air National Guard.....	247,491,000	122,770,000	209,843,000	257,625,000	249,056,000	+1,585,000
Rescission 2/.....	-6,187,000					+6,187,000
Total, Military construction, Air National Guard (net).....	241,304,000	122,770,000	209,843,000	257,625,000	249,056,000	+7,752,000
Military construction, Army Reserve.....	102,040,000	7,910,000	39,121,000	40,870,000	57,370,000	-44,870,000
Rescission 2/.....	-2,551,000					+2,551,000
Total, Military construction, Army Reserve (net).....	99,489,000	7,910,000	39,121,000	40,870,000	57,370,000	-42,119,000
Military construction, Naval Reserve.....	25,029,000	2,355,000	12,348,000	18,355,000	22,748,000	-2,281,000
Rescission 2/.....	-626,000					+626,000
Total, Military construction, Naval Reserve (net).....	24,403,000	2,355,000	12,348,000	18,355,000	22,748,000	-1,655,000
Military construction, Air Force Reserve.....	74,496,000	26,190,000	56,378,000	45,840,000	57,066,000	-17,420,000
Rescission 2/.....	-1,862,000					+1,862,000
Total, Military construction, Air Force Reserve (net).....	72,634,000	26,190,000	56,378,000	45,840,000	57,066,000	-15,558,000
Total, Reserve components (net).....	732,971,000	171,154,000	451,925,000	533,369,000	574,302,000	-158,669,000
Total, Military construction (net).....	3,647,735,000	2,021,242,000	2,520,283,000	2,449,802,000	2,530,819,000	-1,118,918,000
Appropriations.....	(3,623,389,000)	(2,021,242,000)	(2,520,283,000)	(2,449,802,000)	(2,530,819,000)	(-1,362,570,000)
Rescissions.....	(-275,854,000)					(+275,654,000)
North Atlantic Treaty Organization Infrastructure.....	140,000,000	219,000,000	119,000,000	219,000,000	119,000,000	-21,000,000
Family housing, Army:						
Construction.....	228,885,000	152,402,000	180,602,000	173,502,000	170,002,000	-58,883,000
Operation and maintenance.....	1,089,601,000	1,121,208,000	1,121,208,000	1,066,708,000	1,013,708,000	-58,893,000
Portion applied to debt reduction.....	-412,000					+412,000
Total, Family housing, Army.....	1,298,074,000	1,273,610,000	1,281,810,000	1,239,210,000	1,183,710,000	-114,394,000
Family housing, Navy and Marine Corps:						
Construction.....	370,208,000	229,295,000	289,035,000	229,295,000	267,465,000	-102,743,000
Operation and maintenance.....	772,055,000	853,599,000	853,599,000	937,599,000	937,599,000	+165,544,000
Rescission 1/.....	-40,371,000					+40,371,000
Total, Family housing, Navy (net).....	1,101,892,000	1,082,894,000	1,122,634,000	1,166,894,000	1,205,064,000	+103,172,000
Family housing, Air Force:						
Construction.....	187,035,000	252,993,000	276,482,000	273,355,000	277,444,000	+90,408,000
Operation and maintenance.....	790,912,000	801,345,000	801,345,000	824,845,000	824,845,000	+33,933,000
Rescission 1/.....	-55,102,000					+55,102,000
Total, Family housing, Air Force (net).....	922,845,000	1,054,338,000	1,077,827,000	1,098,200,000	1,102,289,000	+178,444,000
Family housing, Defense-wide:						
Construction.....	159,000	350,000	350,000	350,000	350,000	+191,000
Operation and maintenance.....	26,337,000	29,031,000	29,031,000	29,031,000	29,031,000	+2,694,000
Total, Family housing, Defense-wide.....	26,496,000	29,381,000	29,381,000	29,381,000	29,381,000	+2,885,000

## MILITARY CONSTRUCTION APPROPRIATIONS BILL, 1995 (H.R. 4453), continued

	FY 1994 Enacted	FY 1995 Estimate	House	Senate	Conference	Conference compared with enacted
Homeowners Assistance Fund, Defense .....	151,400,000					-151,400,000
Total, Family housing (net) .....	3,500,707,000	3,440,223,000	3,511,852,000	3,533,685,000	3,520,444,000	+10,737,000
Construction .....	(786,287,000)	(635,040,000)	(708,469,000)	(678,502,000)	(715,281,000)	(-71,029,000)
Operation and maintenance .....	(2,658,905,000)	(2,805,183,000)	(2,805,183,000)	(2,857,183,000)	(2,805,183,000)	(+146,278,000)
Rescissions .....	(-65,473,000)					(+65,473,000)
Applied to debt reduction .....	(-412,000)					(+412,000)
Homeowners Assistance Fund .....	(151,400,000)					(-151,400,000)
Base realignment and closure accounts:						
Part I .....	12,830,000	87,800,000	87,800,000	87,800,000	87,800,000	+74,770,000
Part II .....	1,526,310,000	265,700,000	265,700,000	265,700,000	265,700,000	-1,260,610,000
(By transfer) .....		(133,000,000)	(133,000,000)	(133,000,000)	(133,000,000)	(+133,000,000)
Part III .....	1,144,000,000	2,322,858,000	2,322,858,000	2,322,858,000	2,322,858,000	+1,178,858,000
Rescission 2/ .....	-507,692,000					+507,692,000
Total, Base realignment & closure accounts (net) .....	2,175,448,000	2,676,158,000	2,676,158,000	2,676,158,000	2,676,158,000	+500,710,000
Procurement: General provisions 3/ .....		-10,421,000	-10,421,000	-41,921,000	-10,421,000	-10,421,000
Grand total (net) .....	9,463,890,000	8,346,202,000	8,816,872,000	8,836,724,000	8,836,000,000	-627,890,000
Appropriations .....	(10,343,121,000)	(8,346,202,000)	(8,816,872,000)	(8,836,724,000)	(8,836,000,000)	(-1,507,121,000)
Applied to debt reduction .....	(-412,000)					(+412,000)
(By transfer) .....		(133,000,000)	(133,000,000)	(133,000,000)	(133,000,000)	(+133,000,000)
Rescission 1/ 2/ .....	(-878,819,000)					(+878,819,000)

1/ Includes rescissions from P.L. 103-110

2/ Includes rescissions from P.L. 103-211

3/ Budget amendment submitted 3/15/94 (H.Doc. 103-220, page 10)

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Mr. HEFNER. Mr. Speaker, I reserve the balance of my time.

Mrs. VUCANOVICH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to join Mr. HEFNER in bringing to the floor today the conference report making appropriations for military construction for fiscal year 1995.

This conference agreement is a good compromise in a year when our allocation over last year was significantly reduced. Within this limited allocation, we have been successful in providing for the needs of the men and women who serve their country, while striving to maintain and improve our military infrastructure.

Chairman HEFNER has outlined the highlights of the bill so I will not be repetitive. But I want to point out that in crafting this bill, we have worked closely with the Armed Services Committee in order to move the bill forward. This cooperation has been invaluable and appreciated.

As always, I want to thank my chairman for his leadership and cooperation in crafting this legislation. And, the hard work and professionalism of the staff make this product possible.

Military construction is an investment program that has significant payback in economic terms, in better living and working conditions for our military personnel, and in environmental restoration. This bill meets these goals in a difficult year, and I

urge my colleagues to support this conference report.

Mr. FAZIO. Mr. Speaker, I rise in support of the conference report on the fiscal year 1995 military construction appropriations bill. As a member of the Subcommittee on Military Construction, I want to thank Chairman HEFNER, our ranking minority member, Mrs. VUCANOVICH, and the subcommittee's staff, Mr. Bill Marinelli, Mr. Hank Moore, and Ms. Mary Arnold, for the outstanding job each of them has done in crafting this conference report.

As Mr. HEFNER stated previously, we had many competing demands for the scarce funds available for military construction projects in this bill. This conference report contains a total of \$8.8 billion for military construction, family housing, and military base closure activities. The agreement is \$628 million less than the fiscal year 1994 level. Despite all of the requests, we were able to craft a final bill that is balanced, under our 602(b) allocation, and which meets the critical needs of the military.

Mr. Speaker, I would also like to highlight two important projects in the bill which are crucial to constituents in my district. The first project is a near field test range at McClellan Air Base. This facility will enable McClellan to overhaul and repair large, ground-based phased array radar antennas up to 20 feet in diameter. The new facility will provide McClellan with the capability to meet long-term modernization objectives by providing state-of-the-art technology for new and existing workloads.

The second project is a major renovation of the Mather Air Force Base Hospital to update hospital systems to meet current safety standards. The hospital, which is now run by McClellan, was originally constructed in 1970 and has never undergone a major upgrade or

renovation. The renovation will enable the hospital to continue to deliver high quality health care services to active duty and retired military personnel in the Sacramento area.

Each of the initiatives outlined above will help maintain McClellan Air Force Base as a critical defense asset and as an integral part of the Sacramento community.

In closing, Mr. Speaker, I want to reiterate my strong support for this conference report and urge my colleagues to vote for this important military readiness bill.

Mr. PACKARD. Mr. Speaker, I support the fiscal year 1995 military construction appropriations conference report. The subcommittee has crafted a well-balanced bill that meets the needs of our armed services while respecting tight budget constraints.

I would like to thank chairman BILL HEFNER, BARBARA VUCANOVICH, and JOE MCDADE for their help to include funding in this bill for the Navy and Marine Corps in southern California, particularly for Marine Corps Base Camp Pendleton.

In this era of a shrinking defense budget, we are placing more and more demands on the Marine Corps. Just since the Persian Gulf war, the Marine Corps has responded to about 20 crises. By comparison, during the cold war, the marines responded to about 3 to 4 crises a year. The funding included in this bill will help Pendleton marines meet their readiness mission.

I urge my colleagues to support the conference report.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. HEFNER. Mr. Speaker, I have no further requests for time, and I move



the previous questions on the conference report.

The previous question was ordered.

The conference report was agreed to. A motion to reconsider was laid on the table.

#### AMENDMENTS IN DISAGREEMENT

The SPEAKER pro tempore (Mr. CARDIN). The Clerk will designate the first amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 6: Page 3, line 14 strike out "\$55,900,000" and insert "\$53,886,000".

#### MOTION OFFERED BY MR. HEFNER

Mr. HEFNER. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. HEFNER moves that the House recede from its disagreement to the amendment of the Senate numbered 6 and concur therein with an amendment, as follows:

In lieu of the sum stricken and inserted by said amendment, insert \$49,386,000.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina [Mr. HEFNER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 8: Page 4, line 7, after "construction" insert "or family housing".

#### MOTION OFFERED BY MR. HEFNER

Mr. HEFNER. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. HEFNER moves that the House recede from its disagreement to the amendment of the Senate numbered 8 and concur therein.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina [Mr. HEFNER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 10: Page 4, line 24, strike out "\$134,235,000" and insert "\$170,479,000".

#### MOTION OFFERED BY MR. HEFNER

Mr. HEFNER. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. HEFNER moves that the House recede from its disagreement to the amendment of the Senate numbered 10 and concur therein with an amendment, as follows:

In lieu of the sum stricken and inserted by said amendment, insert "\$188,062,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina [Mr. HEFNER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 13: Page 5, line 14, strike out "\$39,121,000" and insert "\$40,870,000".

#### MOTION OFFERED BY MR. HEFNER

Mr. HEFNER. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. HEFNER moves that the House recede from its disagreement to the amendment of the Senate numbered 13 and concur therein with an amendment, as follows:

In lieu of the sum stricken and inserted by said amendment, insert \$57,370,000.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina [Mr. HEFNER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 14: Page 5, line 15, after "1999" insert "Provided, That of the funds appropriated for 'Military Construction, Army Reserve, 1992/1996', \$1,500,000 shall be transferred to 'Military Construction, Army National Guard, 1992/1996' for the same purposes as the appropriation to which transferred".

#### MOTION OFFERED BY MR. HEFNER

Mr. HEFNER. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. HEFNER moves that the House recede from its disagreement to the amendment of the Senate numbered 14 and concur therein.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina [Mr. HEFNER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 15: Page 5, line 22, strike out "\$12,348,000" and insert "\$18,355,000".

#### MOTION OFFERED BY MR. HEFNER

Mr. HEFNER. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. HEFNER moves that the House recede from its disagreement to the amendment of the Senate numbered 15 and concur therein with an amendment, as follows: In lieu of the sum stricken and inserted by said amendment, insert \$22,748,000.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina [Mr. HEFNER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 16: Page 6, line 6, strike out "\$56,378,000" and insert "\$45,840,000".

#### MOTION OFFERED BY MR. HEFNER

Mr. HEFNER. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. HEFNER moves that the House recede from its disagreement to the amendment of the Senate numbered 16 and concur therein with an amendment, as follows: In lieu of the sum stricken and inserted by said amendment, insert \$57,066,000.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina [Mr. HEFNER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 19: Page 7, line 3, strike out "\$1,121,208,000" and insert "\$1,065,708,000".

#### MOTION OFFERED BY MR. HEFNER

Mr. HEFNER. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. HEFNER moves that the House recede from its disagreement to the amendment of the Senate numbered 19 and concur therein with an amendment, as follows: In lieu of the sum stricken and inserted by said amendment, insert \$1,013,708,000.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina [Mr. HEFNER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 20: Page 7, line 3, strike out "\$1,281,810,000" and insert "\$1,239,210,000".

#### MOTION OFFERED BY MR. HEFNER

Mr. HEFNER. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. HEFNER moves that the House recede from its disagreement to the amendment of the Senate numbered 20 and concur therein with an amendment, as follows: In lieu of the sum stricken and inserted by said amendment, insert \$1,183,710,000.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina [Mr. HEFNER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 23: Page 7, line 14, strike out "\$1,122,634,000" and insert "\$1,166,894,000".

#### MOTION OFFERED BY MR. HEFNER

Mr. HEFNER. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. HEFNER moves that the House recede from its disagreement to the amendment of

the Senate numbered 23 and concur therein with an amendment, as follows: In lieu of the sum stricken and inserted by said amendment, insert \$1,205,064,000.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina [Mr. HEFNER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 24: Page 7, line 22, strike out "\$276,482,00" and insert "\$273,355,000".

MOTION OFFERED BY MR. HEFNER

Mr. HEFNER. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. HEFNER moves that the House recede from its disagreement to the amendment of the Senate numbered 24 and concur therein with an amendment, as follows:

In lieu of the sum stricken and inserted by said amendment, insert "\$277,444,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina [Mr. HEFNER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 27: Page 8, line 2, strike out "\$1,077,827,000" and insert "\$1,098,200,000".

MOTION OFFERED BY MR. HEFNER

Mr. HEFNER. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. HEFNER moves that the House recede from its disagreement to the amendment of the Senate numbered 27 and concur therein with an amendment, as follows:

In lieu of the sum stricken and inserted by said amendment, insert "\$1,102,289,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina [Mr. HEFNER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 29: Page 17, strike out lines 10 to 15 and insert:

(INCLUDING RESCISSION AND TRANSFER OF FUNDS)

SEC. 124. In addition to amounts appropriated or otherwise made available by this Act, \$25,100,000 is appropriated to the Department of Defense and shall be available only for transfer to the United States Coast Guard, to remain available until expended, to defray expenses for the consolidation of United States Coast Guard functions in Martinsburg, West Virginia, including planning, acquisition, construction, relocation of personnel and equipment and other associated costs: Provided, That of the funds appropriated for "Military Construction, Naval

Reserve" under Public Law 102-136, \$25,100,000 are rescinded.

MOTION OFFERED BY MR. HEFNER

Mr. HEFNER. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. HEFNER moves that the House insist on its disagreement to the amendment of the Senate numbered 29.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina [Mr. HEFNER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 31: Page 18, strike out lines 6 to 17 and insert:

SEC. 126. LAND CONVEYANCE, NAVAL RESERVE CENTER, SEATTLE, WASHINGTON.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Navy may convey to the City of Seattle, Washington (in this section referred to as the "City"), all right, title, and interest of the United States in and to a parcel of real property, together with improvements thereon, consisting of approximately 5.09 acres, the location of the Naval Reserve Center, Seattle, Washington.

(b) CONSIDERATION.—(1) As consideration for the conveyance under subsection (a), the City shall pay to the United States an amount equal to the fair market value (as determined by the Secretary) of the portion of the real property to be conveyed under subsection (a) that is described in paragraph (2).

(2) Paragraph (1) applies to the portion of the parcel of real property referred to in subsection (a) that consists of approximately 3.67 acres and was acquired by the United States from a party other than the City.

(c) CONDITION.—The conveyance authorized by subsection (a) shall be subject to the condition that the City accept the real property in its condition at the time of conveyance.

(d) REQUIREMENTS RELATING TO CONVEYANCE.—(1) The Secretary may not make the conveyance authorized by subsection (a) until the commencement of the use by the Navy of a Naval Reserve Center that is a suitable replacement for the Naval Reserve Center located on the property to be conveyed.

(2) The Secretary may not commence construction of a facility to be the replacement facility under paragraph (1) for the Naval Reserve Center until the Secretary completes an environmental impact statement with respect to the construction and operation of the facility to be the replacement facility.

(e) PAYMENT FOR COMMERCIAL USE.—If at any time after the conveyance under this section the City ceases utilizing the real property conveyed under subsection (a) for public purposes, and uses such real property instead for commercial purposes, the City shall pay to the United States an amount equal to the excess, if any, of—

(1) an amount equal to the fair market value (as determined by the Secretary) of the real property referred to in subsection (b)(2), and any improvements thereon, at the time the City ceases utilizing the real property for public purposes, over

(2) the amount determined by the Secretary under subsection (b)(1).

(f) USE OF PROCEEDS.—Proceeds from the sale shall be deposited in the Treasury of the United States.

(g) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under this section shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the City.

(h) ADDITIONAL TERMS AND CONDITIONS.—(1) The Navy may scope more than one site.

(2) The Secretary may require such additional terms and conditions in connection with the conveyance under this section as the Secretary considers appropriate to protect the interests of the United States.

MOTION OFFERED BY MR. HEFNER

Mr. HEFNER. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. HEFNER moves that the House recede from its disagreement to the amendment of the Senate numbered 31 and concur therein with an amendment, as follows:

Restore the matter stricken by the Senate, amended as follows:

In lieu of the section designation "SEC. 126.", insert "SEC. 127." and retain the matter proposed by the Senate, amended as follows:

In lieu of the section designation "SEC. 126.", insert: "SEC. 128."

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina [Mr. HEFNER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the last amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 32. Page 18, after line 17, insert:

SEC. 127. LAND TRANSFER, WOODBRIDGE RESEARCH FACILITY, VIRGINIA.

(a) REQUIREMENT OF TRANSFER.—Notwithstanding any other provision of law, the Secretary of the Army shall transfer, without reimbursement, to the Department of the Interior, a parcel of real estate consisting of approximately 580 acres and comprising the Army Research Laboratory Woodbridge Facility, Virginia, together with any improvements thereon.

(b) USE OF TRANSFERRED PROPERTY.—The Secretary of the Interior shall use appropriate parts of this real property for (1) incorporation into the Mason Neck Wildlife Refuge and (2) work with the local government and the Woodbridge Reuse Committee to plan any additional usage of the property, including an environmental education center: Provided, That the Secretary of the Interior provide appropriate public access to the property.

MOTION OFFERED BY MR. HEFNER

Mr. HEFNER. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. HEFNER moves that the House recede from its disagreement to the amendment of the Senate numbered 32 and concur therein with an amendment, as follows:

In lieu of the section designation "SEC. 127.", insert "SEC. 129."

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina [Mr. HEFNER].

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the conference report and on the several motions was laid on the table.



□ 1700

APPOINTMENT OF CONFEREES ON  
H.R. 4506, ENERGY AND WATER  
DEVELOPMENT APPROPRIATIONS  
ACT, 1995

Mr. BEVILL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 4506) making appropriations for energy and water development for the fiscal year ending September 30, 1995, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER pro tempore (Mr. CARDIN). Is there objection to the request of the gentleman from Alabama?

There was no objection.

MOTION TO INSTRUCT CONFEREES OFFERED BY  
MR. MYERS OF INDIANA

Mr. MYERS of Indiana. Mr. Speaker, I offer a motion to instruct.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. MYERS of Indiana moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendments to the bill H.R. 4506 be instructed to insist upon the provisions contained in the House bill under the heading "General Science and Research Activities" that provide \$279,399,000 for high energy physics facility operating expenses.

The SPEAKER pro tempore. The gentleman from Indiana [Mr. MYERS] will be recognized for 30 minutes.

For what purpose does the gentleman from Indiana [Mr. SHARP] rise?

Mr. SHARP. Mr. Speaker, I rise in opposition to the motion.

The SPEAKER pro tempore. Is the gentleman from Alabama [Mr. BEVILL] in opposition to the motion?

Mr. BEVILL. No, Mr. Speaker, I am supportive of the motion.

The SPEAKER pro tempore. The Chair will divide the time in thirds, each Member receiving 20 minutes, one-third of the time.

The gentleman from Indiana [Mr. MYERS] is recognized for 20 minutes.

Mr. MYERS of Indiana. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the motion I have offered on behalf of our committee is a rather simple motion to insist upon the House position on high energy physics. During the past several years we have seen that the research being done by our national labs around the country has been either frozen at the past level, or the effect has been a decrease in the effectiveness of our labs. What we have attempted to do here in our bill was to increase slightly this year the research which is so vital to the future energy needs for our country, so that this research will be done in our national labs.

In the House version, we had \$279,400,000 for operating these national labs. The Senate cut this back to \$268

million, which was just about the same as last year. In fact, it might be just a bit less than we actually appropriated last year.

The impact, because of cost of living, it means we are getting less research for the energy that our children and grandchildren are going to need, and for the ability for us to compete in the world markets today. We have to continually work to find cheaper, more efficient, more effective ways, not only of producing energy, but of transmitting energy from generation stations, as in the case of electricity.

Mr. Speaker, this is just very vital research our Nation does need to continue to be competitive. What I am attempting to do here is to instruct our conferees to insist upon the House position, which is about \$11.4 million more than the Senate had in their bill.

Mr. Speaker, I reserve the balance of my time.

Mr. SHARP. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I and some of our colleagues are rising today to ask the House to vote in opposition to the previous question on the motion offered by the gentleman from Indiana [Mr. MYERS], so we can amend the motion. While we do not directly oppose what he is trying to do, we think it is very important for the House to confirm today its position that it has, on four specific occasions, voted to take, which was included in the energy and water appropriations of this bill, and that was to terminate the advanced liquid metal reactor.

Mr. Speaker, we are going to take our time of the 20 minutes to explain once again those arguments, and ask our colleagues to vote "no" on the previous question. At that point we will offer a motion to instruct the conferees to stay with the position that it has in the House bill and that we support, in dealing with the Senate. The ALMR barely survived in the Senate, and while the House has overwhelmingly voted to eliminate this Program.

Mr. Speaker, I wish to thank the gentleman from Alabama and the gentleman from Indiana. The Energy and Water Subcommittee has confirmed the will of the House and the request of the President and the Department of Energy to provide funding to terminate the Advanced Liquid Metal Reactor program.

It is to support this decision that we come today to offer a motion to instruct the conferees to stand by the House position. In order to win the right to offer this motion to instruct, we must defeat the previous question on the motion which has been offered by the gentleman from Indiana [Mr. MYERS].

I wish to assure that gentleman, the committee, and the House that we are not in opposition to the motion offered by Mr. MYERS, but simply wish to win the right to offer our motion to uphold the House position.

The House has voted four times to terminate this project: Once when it passed this bill; once when it passed the reinventing govern-

ment bill last year, and twice when considering the energy and water appropriations bill last year.

At that time we offered an amendment to cut funding for this project. It passed by 272 to 146 in the Committee of the Whole and later by a similar margin in the House.

The Senate last year voted to continue funding the project by the narrow margin of 53 to 46. In spite of the narrow margin in the Senate, the conference report included funding for the ALMR.

This year the committee decided to support the decision of the President and the position of the House and to terminate the program. The Senate, however, by the narrow margin of 52 to 46, voted to continue the program, calling that continuation phased termination.

There are those in the Senate with a strong commitment to this program and they will be insistent. It is for this reason that we come to you today asking you to help strengthen the hand of our House negotiators by giving them a clear vote in support of the House position to terminate the ALMR. Let us bring this program to a halt once and for all.

I also wish to make clear that this effort is not undertaken out of opposition to nuclear power or nuclear research programs. I have long supported other nuclear research programs, such as the Advanced Light Water Reactor Program, and continue to do so. There is funding within this legislation for other reactor programs. It is only the ALMR we seek to terminate here.

How does the ALMR measure up as a method for high level nuclear waste disposal?

Proponents have argued that the ALMR could be used to burn the actinides in high level nuclear waste, making it easier to dispose of. On the contrary, while plutonium is burned, more fission products are produced, that are more likely to leak.

The ALMR can fission, or burn uranium and plutonium. However, it must be made clear that these elements are not the source of greatest concern in high level waste disposal. In fact, fission products, which are other very long-lived elements such as technetium, curium, and americium, iodine, and cesium are far more difficult to deal with. These elements are water soluble and would increase emissions from a repository, thus increasing the dosage to the public.

Even if all the uranium and plutonium were burned out of the waste it would still have to be placed in a repository, and the content of elements most likely to leach out would be greater. In other words, the waste would be more dangerous to the public and would make a repository harder to license.

On top of that, there would be more waste to dispose of with the ALMR as a waste disposal technique. The DOE has reported that there would be as much as 1.3 to 2.3 times as much waste for disposal with the ALMR as without it.

In addition, it would cost more. The Edison Electric Institute concluded last year that the ALMR could increase the cost of the disposal program by as much as four times.

The National Academy of Sciences estimates that it would take twenty 1,000 megawatt reactors 100 years or more to destroy more than 90 percent of the actinides. Each of

these would have to be replaced during that 100 years at least once. That would require more reactors.

So it would take over 100 years; would require construction of a massive new infrastructure; would leave more waste than you started with; the waste would be more difficult to control, creating a more serious threat to the environment, and it would cost more to burn the actinides.

How does the ALMR measure up as a method for plutonium disposal and proliferation?

As we enter the 21st century, few issues are more pressing than the spread of nuclear weapons to nations which do not currently have them. Recent and continuing headlines have featured the tense standoff between the United States and international inspectors with North Korea over their production of plutonium for bombs. Just 2 years ago we were at war with Iraq, with one of the justifications the stopping of Saddam Hussein's nuclear weapons development program. We can expect to see more stories about countries trying to gain nuclear weapons capability.

There are two primary concerns for weapons proliferation. One is that bomb-ready materials can be stolen and made into bombs. The other is that nations will acquire the technology to manufacture their own materials for bombs. The ALMR fails on both counts.

About 150 tons of plutonium will be left from the dismantling of American and Russian nuclear weapons. Some have said that the ALMR could be used to dispose of this plutonium by burning it as fuel.

A quote from the fission working group of the DOE plutonium disposition task force goes directly to the point: "It is interesting to note that the options with the greatest annihilation capability also have the greatest diversion risk."

Burning the plutonium would require the development, design, testing, construction, and deployment of a large number of reactors. The Department of Energy committee called for 27 160 megawatt reactors. That would take decades, just to get started disposing of this material.

The NAS, in a study released earlier this year pointed to two alternatives as preferable for this purpose. One is the mixing of the plutonium with fuel for existing commercial light water reactors. The other is mixing the plutonium with existing high level waste for glassification and disposal. Both of these options use existing facilities, cost little, and could be started up almost immediately.

Recent stories about a few ounces of plutonium found in a German garage are chilling. Evidently, the plutonium was stolen from the Russian weapons system. We need to get with whatever is the quickest way to render this material diversion-proof. The ALMR does not represent the quickest way, nor the cheapest way, nor the surest way.

As to the other threat, that of foreign nations acquiring the technology to build weapons, no other system is as vulnerable. The ALMR is a breeder reactor which creates more plutonium than it consumes. It can be used to burn plutonium, but it is a breeder and in the wrong hands it will be used as such to manufacture weapons material.

Our national policy is to discourage the use and spread of plutonium technologies. The ALMR system envisioned by its proponents would require the construction of a large infrastructure of reactors and reprocessing plants. It would keep plutonium cycling through the system for decades, or even in perpetuity.

The urgent need to prevent the spread of nuclear weapons is sufficient reason to terminate this program in and of itself. This is why the President has decided to request termination.

The ALMR, then, does not provide as much protection against theft as other alternatives, does not provide it as quickly, would require the construction of a massive infrastructure and would cost more.

The ALMR is in and of itself a breeder reactor and perpetuates the threat of proliferation by cycling plutonium through the system and by giving proliferation bent nations a technology for development of weapons materials.

What are the consequences of using the ALMR as a breeder?

Proponents of the program claim that it should be developed to create a system of breeder reactors which would provide an unlimited supply of fuel for the future.

Enough has been said about the concerns over nuclear weapons proliferation to make this picture of a plutonium economy which cycles this most dangerous of bomb materials endlessly through our society that I think we should be able to dismiss that future entirely.

If that is not enough, though, let me point to the study done by the Electric Power Research Institute which concluded that the ALMR is not commercially competitive with light water reactors and will not be for the foreseeable future.

A more competitive electricity industry, new highly efficient generation technologies already on the market, and technologies on the verge of development, such as the hydrogen fuel cell, make pinning hopes of this technology highly speculative, at best.

The ALMR is proliferation prone, increases nuclear waste, costs more than alternatives. The ALMR is not the technology of the future. We should not support deployment of the ALMR system.

Should we terminate immediately as is the House position or pursue phased termination?

There are two questions in any research program aimed at development of a project: First, should we develop the program?

Second, how do we develop the program. If you answer the first question with a no, you never have to get to the second question. If you know you are not going to build a project, you don't have to figure out how to build it.

The Secretary of Energy has stated in a letter to Chairman BEVILL that the Department has decided not to proceed with this technology, primarily because of concerns about nuclear proliferation.

Most of the defense of the "phased termination" option centers around the claim that finishing the research currently under way would cost less than immediate termination.

Recent fact sheets circulated by the DOE should lay that question to rest.

The argument for cost savings depends on a contribution from a Japanese consortium of \$60 million over the life of the program.

The Japanese contribution was negotiated—no contract was ever signed—as a contribution to a continuing program which would culminate in the construction of the integrated fast reactor. There has never been any discussion of a contribution to the "phased termination" proposal of the Senate bill.

This contribution, then, is entirely speculative.

Without Japanese participation the phased termination costs anywhere from \$27.7 to \$55 million more than the immediate termination in the House approach.

For fiscal year 1995 the House has provided \$83.8 million for termination. The Senate has provided \$98.8 million and instructed the DOE to get \$15 million from the Japanese. The House bill saves \$15 million over the Senate bill and is \$30 million less than the program outlined in the Senate bill.

Over the life of the project, assuming construction of the IFR, DOE estimates that immediate termination would save \$3 billion.

Should we instruct the conferees?

One of the hardest things to do in the Congress is to terminate programs that no longer serve their function. We are castigated for that fact regularly in the press and by the public.

We have here before us the opportunity to do that hardest thing. We can terminate this program, save money, prevent nuclear weapons proliferation, prevent making our nuclear waste disposal program worse and support our previous position all at once.

We must terminate this program. It is the position of the President. It is the position of the Secretary of Energy. It is the position of the many outside groups, including the National Taxpayers Union, Citizens Against Government Waste, the League of Conservation Voters, the Sierra Club, the United Methodist Church, the Natural Resources Defense Council, U.S. Public Interest Research Group, Public Citizen, Environmental Action, the Nuclear Control Institute, Safe Energy Communications Council, Nuclear Information and Resource Service, and on, and on. It is also the position of the New York Times, the Washington Post, the Los Angeles Times, the Oregonian, the Atlanta Journal and dozens of other newspapers across the country.

Most important, it is the position of this body. The House has already decided to terminate the project and expressed that decision in four separate votes in the last 2 years.

I urge you to strengthen the hand of the House conferees.

I urge you to support the House position. I urge you to vote to instruct the conferees.

Vote first to defeat the previous question on Mr. MYERS' motion.

Then to vote to instruct the conferees by adding the Sharp-Coppersmith-Hamilton-21 motion as an amendment.

Vote to defeat the previous question.

Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Arizona [Mr. COPPERSMITH].

Mr. COPPERSMITH. Mr. Speaker, as Yogi Berra said, I believe more than once, "it's déjà vu all over again." Members will recall that this House has faced the issue on the floor today several times before. Even without the benefit of repetition, the issue remains



simple. It is about priorities. It is whether we can eliminate Federal programs that no longer make sense, so we can concentrate on the ones that do, and reduce the deficit we are leaving to our children.

It should not be this hard, or take this long, to kill a program, but it is and it does. This House has voted overwhelmingly three times to terminate the advanced liquid metal reactor. With three overwhelming House votes, with the President and Department of Energy finally and firmly committed to termination, and with all the problems we face funding even the best programs, the ALMR program finally should end.

But it is still going, because the game in Washington makes it far too easy to keep programs alive, no matter their merits. Last year, after the House vote, the other body actually increased ALMR funding, and this year it voted again by a narrow margin, to keep the ALMR program alive.

The evidence for terminating the ALMR has gotten only stronger since last year. Both the Office of Technology assessment and the National Academy of Sciences have criticized the idea that the ALMR could dispose of weapons plutonium. The nuclear concerns in North Korea and elsewhere have made the proliferation problems caused by the ALMR even more urgent, a point the Secretary of Energy and the distinguished chairmen of the House Armed Services Committee and the Foreign Affairs Committee all have made.

From a budget perspective, the case against the ALMR has become stronger as well. DOE has spent nearly \$9 billion on liquid metal reactors since 1948, but the technology still has no economic prospects. DOE estimates taxpayers will have to pay well over \$3 billion more to finish the ALMR Program, and completing just the current phase would cost the taxpayers over \$27 million more than terminating it now.

Proponents will try to claim, in what the Washington Post called a classic congressional dodge, that it is cheaper to continue for another several years, but DOE's own number show savings from immediate termination, and the Congressional Budget Office last year scored immediate termination as savings \$318 million over 5 years.

But you do not have to trust DOE or CBO. Trust your common sense. Imagine explaining to your constituents that you think keeping a Federal program going for at least another 4 years is less expensive than shutting it down now.

We have had this debate before. We decided to kill the ALMR. The budget is even tighter now; the scientific evidence is even stronger; and the President and Department of Energy finally agree. The ALMR is not a priority, and it must go. Let us not waste another

year of taxpayer funding by not eliminating this unnecessary program. To quote Mr. Berra again, it will not be over until it is over. Well, today it is time again to make our votes stick, to stand up to the other body, and to insist on setting at least one priority straight.

I urge my colleagues: Vote "no" to defeat the previous question. Vote for the Sharp-Coppersmith-Klug-Hamilton motion to instruct.

Mr. MYERS of Indiana. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois [Mr. FAWELL], who has worked very hard on some of these programs.

Mr. FAWELL. Mr. Speaker, I rise in support of the Myers motion to instruct conferees and in support of the Senate position with regard to the Advanced Liquid Metal Reactor/Integral Fast Reactor [ALMR/IFR] Program.

I want to make two points.

First, the House's 4-year plan to shut down the program at the end of fiscal year 1998 would cost \$332 million. The Senate's plan, which would also shut down the program at the end of fiscal year 1998, would provide for \$60 million in Japanese cost-sharing and would allow completion of the authorized research at a cost of \$327.8 million, a savings of \$4.2 million, including a savings of \$5.9 million in fiscal year 1995. Thus, the House's plan makes no economic or fiscal sense.

Second, the Senate's plan is sound science and sound nuclear nonproliferation policy. There is an expanding amount of plutonium in the world today. The United States and Russia alone plan to retire thousands of nuclear weapons over the next decade, making available 100 metric tons or more of pure weapons plutonium metal. By the year 2000 over 1,000 tons of LWR-produced plutonium will exist in spent LWR fuel over and above some 900 tons of LWR-produced plutonium in spent fuel which exists today.

And the world inventory of reactor plutonium will continue to escalate at an ever-increasing rate as the use of nuclear power inevitably expands in many countries world-wide. This is so even if this Nation never builds another nuclear powerplant.

The ALMR/IFR is the only nuclear technology under research today that offers the world the prospect of totally destroying plutonium while safely and efficiently producing electricity. Indeed, I know of no technology of any sort which promises to fully destroy plutonium.

The ALMR/IFR's fuel cycle is also strongly proliferation resistant because first, it efficiently recycles and burns highly radioactive wastes, including plutonium, on-site and second, because the plutonium in the system never exists in its pure form and is recycled as a fuel and ultimately destroyed on site.

In contrast, conventional LWR's use an off-site Purex reprocessing to separate plutonium from spent fuel waste where diversion of pure plutonium is a proliferation concern.

More important, the ALMR/IFR is good science because, while destroying plutonium, it can generate electricity and cut the volume of nuclear waste to one-fourth of that produced by the current conventional LWR. In addition, what low-level waste is left will decay in 100 years rather than many thousands of years, and this low-level-low-volume waste could be stored at the reactor site. Also, the ALMR/IFR reactor, unlike the conventional LWR, will be passively safe; that is, if an accident were to occur and a nuclear chain reaction were to start, as at Chernobyl, it would shut itself off without any human intervention.

Thus, the ALMR/IFR Program is both a sound U.S. energy policy as well as a sound nonproliferation policy. Yet opponents condemn the ALMR/IFR because one of the fuels it uses is plutonium, while ignoring all of the sound scientific principles just referred to.

There are, of course, other options to dispose of plutonium that are under review. These include: indefinitely storing nuclear warheads; cycling plutonium once through a reactor and burying the highly radioactive spent fuel in a repository; vitrifying plutonium with high-level waste and burying it in a repository; dropping canisters of plutonium in deep boreholes in the Earth's crust; burying it under the seabed; detonating nuclear warheads underground; launching it into space; diluting it in the ocean, and so forth. All of these options have their own set of difficulties and none have the long-term promise of the ALMR/IFR.

Vote yes on the motion on the previous question and vote yes on the Myers motion to instruct conferees. Let us not turn our backs on this long-term technology. It is fiscally sound as well as being significant energy and nonproliferation policy. I urge support of the motion to instruct offered by the gentleman from Indiana [Mr. MYERS], and a yes vote for the previous question.

□ 1710

Mr. SHARP. Mr. Speaker, I yield 1 minute to the distinguished gentleman from California [Mr. MILLER], chairman of the Committee on Natural Resources.

Mr. MILLER of California. Mr. Speaker, the unmistakable will of the House on this issue has been frustrated for too long. Since the House voted overwhelmingly to discontinue the ALMR project twice last year, the case against continued funding has only become stronger. Both the NAS and the OTA have released reports that are highly critical of the idea of using the ALMR Program for plutonium disposition or other nuclear waste disposal.

In addition, our current difficulties with North Korea amply demonstrate the folly of advancing a new reactor technology that is based on a plutonium fuel cycle. Much argument has been heard about whether or not the ALMR is a breeder reactor. The clear fact is that it was originally conceived as a breeder reactor, and can easily be turned back into one. Particularly since the world is glutted with uranium, there is no reason to bear either the economic or proliferation costs of a plutonium fuel cycle.

Mr. MYERS of Indiana. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania [Mr. WALKER], who serves on the authorizing committee.

Mr. WALKER. Mr. Speaker, this is another one of these situations where the killing off of research and development is a serious matter, and it will preclude in this particular case much of the nuclear option for this Nation's future. In fact, in this particular case, I am not certain that this ill-advised crusade even makes much sense.

First of all, the conferees should be given a chance to work out the best deal for the taxpayers. It is a complicated issue before us. The administration has raised its cost estimate to terminate and the Japanese are now offering to cost-share the program. Let us at least have some work by the conferees. Let us not prejudge them and allow them to work out something here.

Second, in spite of all the protestations to the contrary, it is both cheaper in 1995 and over the next 4 years to complete the program than to break the contracts and pay termination liability. We should not be charging the taxpayers even more money to grandstand on an empty, symbolic gesture, and that is exactly what we have been doing if we terminate this program at this point.

Third, the program is fully authorized in Public Law 102-486, the Energy Policy Act of 1992. This was the bill of the gentleman from Indiana [Mr. SHARP]. Section 2122 of that particular authorization reads and I quote:

The Secretary shall conduct a program to encourage the deployment of advanced nuclear reactor technologies. The goals of the program established under subsection (a) shall include for the near term to facilitate the completion of submissions by September 30, 1996 for the preliminary design approvals by the commission of standardized designs for the modular high temperature gas cooled reactor technology and the liquid metal reactor technology.

So this is fully authorized by the bill of the gentleman from Indiana [Mr. SHARP] and ought not be brought out here with some idea that there is not an appropriate authorization.

Fourth, the termination of this program would leave some of our top research facilities as nothing but empty shells without any mission and would backtrack from this Nation's need to

have advanced research. If we are going to be an advanced nation, we need every energy option for our future economic growth, and this amendment throws one away completely. The one they are throwing away happens to represent 22 percent of the energy that this country consumes today.

To throw away that unnecessarily on this floor and to do so in total violation of the authorization bill that we put in effect less than 2 years ago seems to me to be beyond penny wise and pound foolish. In my view, it is just plain dumb.

Mr. BEVILL. Mr. Speaker, I yield 3 minutes to the gentleman from Idaho [Mr. LAROCO].

Mr. LAROCO. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, I rise today to urge my colleagues to support the motion for the previous question.

Mr. Speaker, what we are talking about here is a research program referred to as the integral fast reactor, or IFR.

The question is whether we should conclude the program in a thoughtful, fiscally prudent manner, or whether we should toss the baby out with the bathwater.

About \$800 million have been spent on the development of the IFR since 1986. The initial money was used to conduct small-scale research and then, later, to conduct confirmation experiments in larger sized equipment.

Much of the recent funding has gone to building and installing engineering-scale equipment at the Argonne West facilities in Idaho. This scaled-up equipment is designed to carry out the crucial and final proof-of-concept experiments for the IFR technology. These experiments are scheduled to begin in September.

If the research on the IFR is abandoned at this time, essentially all of the investment to date will be a total waste.

To date the IFR has proceeded on budget, and on schedule. There is no reason to expect that will not continue to be the case.

In other words, we can say with great confidence that if we continue to collect data during through the concluding years of the project, we will reach the goal of knowing whether the technology can be integrated and scaled up.

Answering this question—the original question—can take place at the same time that we continue systematic, cost-effective shutdown procedures.

We will apply for the necessary permits for termination, and we will begin to redirect the activities of the staff as appropriate, in productive, useful alternative directions.

I contrast this careful, thoughtful, fiscally prudent approach, which embraces cost sharing by industry and allied governments, with the panic-driv-

en, irrational stampede of some opponents to abandon the IFR technology.

Your vote today is more about how we explore new ideas than about your final position on the IFR. I happen to agree with scientists at Oak Ridge and Lawrence Livermore National Laboratories that the IFR is less of a proliferation threat than the existing technology which it is designed to replace. But you need not have reached that conclusion.

Today, let us simply acknowledge that it does not make sense to say, in essence, that scientists cannot continue to collect data as we bring the program to a close.

If we accept the Senate provision, we will complete the experiments that define the boundaries of the technology.

If we accept the Senate provision, we will complete the research for less money than it takes to shut down immediately.

Mr. Speaker, the AFL-CIO; the Oil, Chemical & Atomic Workers; and the International Brotherhood of Electrical Workers, among many others, are correct.

Southern California Edison, Duke Power, Boston Edison, Commonwealth Edison, and literally dozens of other utilities are correct.

The National Academy of Sciences, the National Association of Regulatory Utility Commissioners are correct.

They all say: Completion of the IFR is the prudent choice. I urge my colleagues to resist the effort to terminate this program prematurely.

Mr. SHARP. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Minnesota [Mr. RAMSTAD].

Mr. RAMSTAD. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, the taxpayers of this country want to know what it takes to kill a pork barrel program.

The House has voted four times to terminate the Advanced Liquid Metal Reactor Program. Yet, once again, the ALMR has a chance to get funding—unless we vote for a fifth time to kill it.

Let us be clear. If we terminate the ALMR, American taxpayers will save at least \$2.9 billion.

With a \$4.6 trillion national debt, this body must have the courage to say no to wasteful spending programs. The ALMR is such a program.

It is not a cost effective or efficient way to deal with nuclear waste.

It is not an economical resource for generation of electricity.

It does threaten our environment and increase the risk of nuclear proliferation.

Mr. Speaker, I ask my colleagues to join the National Taxpayers Union, Citizens Against Government Waste and a number of environmental organizations and vote to terminate the ALMR.

Vote against the previous question so that this body gets a chance to instruct



our conferees to hold firm to the House position to kill the ALMR.

□ 1720

Mr. MYERS of Indiana. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. MOORHEAD].

Mr. MOORHEAD. Mr. Speaker, I rise to speak today in favor of Mr. MYERS' motion to instruct the energy and water appropriations conferees. Continued support for high energy physics is necessary to keep the United States at the forefront of the global marketplace. Research in high energy physics allows this country to continue to be a world leader in medical research and manufacturing technology.

In addition, I oppose any attempt to instruct conferees regarding funding for the Advanced Liquid Metal Reactor Program. The goal of the Advanced Liquid Metal Reactor Program is to develop a technology capable of burning high-level nuclear waste from commercial reactors and plutonium from our weapons stockpile. This program is very close to producing a reactor that will provide a domestic source of clean, cheap, and safe energy, while providing a nuclear waste treatment alternative.

While both the House and Senate bills reduce spending for the ALMR Program below current levels, the phased shutdown provided for in the Senate bill would allow the completion of the research mandated by the Energy Policy Act of 1992.

The Senate level of funding would allow the Liquid Metal Reactor Program to be phased out in a logical manner and would actually cost less. The House proposal for immediate termination would spend \$444.6 million on termination costs over the next 4 years. With the commitment of the Japanese to contribute \$60 million to the project, the costs for a phased termination of the IFR would be \$4.2 million less than immediate termination.

I urge my colleagues to support Mr. MYERS' motion to instruct the House conferees regarding funding for high energy physics and vote for the previous question.

Mr. BEVILL. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California [Mr. BROWN], chairman of the Committee on Science, Space, and Technology.

Mr. BROWN of California. Mr. Speaker, I rise in support of the motion to instruct offered by the gentleman from Indiana [Mr. MYERS], and I will oppose the effort to provide instructions to terminate the advanced liquid metal reactor project.

I am in a somewhat difficult position here, because the position that I am taking today is different from what I took last year. Of course, the administration's position today is different from what they took last year too. So I hope that the two will offset each other.

I have in the past opposed liquid metal reactors. I think some of my colleagues have been here long enough to recall that I waged a tough fight to end the Clinch River reactor 10 or 15 years ago, in cooperation with the National Taxpayers Union. I wish that I could be on their side again.

Unfortunately, the situation is much more muddy than it appears here. There are a lot of difficult politics at work here. Some of the people who want to close this project are opposed to all nuclear programs, for example, and do not want to see us even have an insurance policy against the possibility that we will not have an adequate energy supply 20 or 30 years down the road.

I look on this program first of all as being sound research. I have visited the labs, I have talked to the researchers, I know that they are doing good work. They are trying to keep up with the work that some of our allies are doing, incidentally, in this area, the Japanese and the Europeans are both ahead of us in many ways.

I think that it is a prudent insurance policy to bring this technology as far as we can and then phase it out in a prudent way as the legislation requires. I do not think the argument that we will save money by abolishing this holds much water, as some of my colleagues have already mentioned. Actually what will happen is this money will go to another project, and the people opposing this may like what else it goes to even less.

So I urge that we proceed on the path that the committee has set here.

The funding provided to the ALMR Program in the Senate bill will allow for a sensible and orderly phaseout of this project and will provide the opportunity to record and document substantial research and development findings. This Senate funding will permit us to revisit this technology at a future date, should it prove valuable or necessary.

I am particularly concerned that we retain an understanding of any technology that may be useful in this disposal or burnup of plutonium. Given the huge quantities of plutonium that will be recovered from the retirement of the strategic nuclear weapons of the former Soviet Union and the United States, it behooves us to keep open all our options for disposal. Clearly the ALMR is one of those technologies, and we should carefully weigh its strengths and weaknesses in this role on a sound scientific basis.

I urge Members to support efforts to bring the ALMR Program to an orderly, thoughtful conclusion, and to vote against efforts to instruct the conferees on this issue.

Mr. SHARP. Mr. Speaker, I yield 3½ minutes to the distinguished gentleman from Wisconsin [Mr. KLUG].

Mr. KLUG. Mr. Speaker, let us one more time pull out our Washington dic-

tionaries, and let us figure out the definitions of some words, where investments now replace spending, where contributions is now a new word for taxes, and finally where termination means we will spend another \$2 million on the project.

I think it is clear from what a number of my colleagues have repeated over the last 15 minutes of this debate that this program has been harder to kill than the hockey mask-wearing Jason of the Friday the 13th series. The Bush administration listed this as 21 out of 23 priorities based on energy contribution, economic, technical and environmental factors.

Last year on June 24 the House voted 270 to 146 to pass the Coopersmith amendment, and I was involved in that debate again last year as well to terminate the Department of Energy's civilian funding for the ALMR. Last year the House voted again to terminate this program. DOE supported termination of IFR, and now President Clinton, not President Bush, called for termination. The House committee itself agreed to terminate the program, and now one more time we find ourselves where for two cycles in a row it has been the conference committee and the other body in particular which has come back to save the Advanced Liquid Metal Reactor Program, and all of this, frankly, all of this idea that we can somehow save money by agreeing to the Senate provisions of the conference agreement simply does not stand up, because it is a giant roll of the dice based on that fact that somewhere down the line the Japanese may, and the operative word is may here, may decide to get back into the project.

Termination of this program, as Members already heard from my colleague from Minnesota [Mr. RAMSTAD] is supported by a wide range of groups, including the National Taxpayers Union, Citizens Against Government Waste and other taxpayer organizations, as well as environmental groups such as the Friends of the Earth, the Sierra Club and the scientific community, such as the National Academy of Sciences as well.

A number of studies have taken a look at this argument, which essentially said it will help destroy plutonium all you have left over is cold water. But keep in mind that we have already spent \$1.3 billion on the ALMR Program, and now we have finally found a mission for the technology that has no commercial application whatsoever.

The fact of the matter is that because the reprocessing costs of reproducing plutonium as a fuel is higher than processing uranium fuel, in fact uranium fuel is so cheap and abundant that U.S. uranium manufacturers are going out of business, so we are going to give money to a technology that may not be available for the next 40 or

60 years when there is already a technology in place. We are trying to convince other countries to back off from plutonium proliferation, and now here we are trying to talk North Korea out of plutonium, and we are going to fund a scientific project that will create more plutonium.

A number of studies of ALMR say it would not be the safest, most effective way to convert plutonium. Studies from the General Accounting Office, the Office of Technology Assessment, Lawrence Livermore National Laboratory, Electric Power Research Institute in California, and DOE's own study on plutonium disposition.

Let me finally sum up with what editorial pages have said across the country that have objectively stood back and taken a look at this program based on the scientific research. The Washington Post called it the wrong reactor. A paper in Oregon called it a giant research boondoggle. A paper in South Carolina called it radioactive pork, and finally my colleagues in this House, let us take the advice of a paper in South Carolina that said put the breeder reactor to sleep.

Mr. MYERS of Indiana. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois [Mr. PORTER].

Mr. PORTER. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, I rise in opposition to the attempt to defeat the previous question and offer a motion to instruct conferees to terminate the advanced liquid metal reactor, also known as the integral fast reactor [IFR]. Termination of the IFR at this point would not only be irresponsible and short-sighted, but would also cost more money than actually completing the program over the next 2 years.

Mr. Speaker, the IFR is now 80 percent complete and shutdown of the reactor has already begun. If we continue IFR research, in 2 years we will have the science we need to make energy out of reprocessed plutonium. If we terminate the program early, we will have gained nothing from our years of research and will have lost hundreds of millions of dollars.

Mr. Speaker, the scientists at Argonne National Labs are developing an amazing technology, called actinide recycling, which will enable the IFR to burn used fuel from existing plants and nuclear waste sites as well as consume plutonium from dismantled nuclear weapons. Last Congress, we made a commitment to test actinide recycling as a way to reduce nuclear waste in the omnibus energy bill of 1992. We should not back down on that commitment.

Mr. Speaker, the IFR is a revolutionary technology that has the potential to offer the country a safe and lasting means of generating electricity while reducing the stockpile of existing nuclear waste and weapons-grade pluto-

nium. The IFR addresses the public's concern about the safety and security of nuclear power—it is far, far safer than technology employed in current nuclear power plants. The IFR is inherently safe and will shut down automatically without human or mechanical intervention if the reactor should overheat. These safety features have been demonstrated in actual tests of a prototype reactor.

To those who contend that the IFR is a breeder reactor with the capacity to transform uranium into plutonium for nuclear weapons, I argue that the purpose of the IFR is exactly the opposite: The IFR burns plutonium and other actinides to generate power. Contrary to what opponents of the IFR say, the IFR does not produce pure plutonium. A highly sophisticated reprocessing technology would be needed to use the plutonium output for any other purpose than refueling the reactor itself.

Mr. Speaker, as America pursues greater energy efficiency and as nuclear weapons are increasingly being dismantled, we cannot afford to abandon this vitally important program. I urge my colleagues to oppose the attempt to defeat the previous question and support the Myers motion to instruct.

□ 1730

Mr. BEVILL. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois [Mr. DURBIN], the distinguished chairman of the Subcommittee on Agriculture of the Committee on Appropriations.

Mr. DURBIN. Mr. Speaker, at any point in this debate I am prepared to yield to any of my colleagues opposed to this project who feel they are so well versed in nuclear physics that they want to speak to the theory behind this IFR and why they do not support it. I am not going to address that point, because I do not have a background in nuclear physics.

What I have found is that the scientific community is split. Some say this is a good investment in research. Some say it is not. In fact, these scientific groups, we could line them up on both sides of this Chamber, and we would probably get a pretty balanced debate on where this should go and how much we should invest. I know the Japanese Government and their scientific community think this is a pretty good idea, take this spent nuclear fuel and turn it into something productive, eliminate a problem that will be around for centuries. It makes sense where I am standing, too. But I cannot make this argument on scientific grounds. I just do not have the background for it. Some of my colleagues may feel they do.

Let us talk about budgetary grounds. Some people say we are out to save money. If we go along with the idea of eliminating this integral fast reactor,

it is not going to save the American taxpayers one nickel. In fact, it will cost them more money to shut down this project which is near completion. It makes more sense from where I am standing for us to go along with the idea of completing the research to see if it does have some productive potential for us and to save money for taxpayers as opposed to trying to put another notch on our pistol and saying we just cut out another project. The bad news for taxpayers is, having cut it out, we sent you an additional bill for anywhere from \$5 million to \$18 million. That sort of thing is not good news for taxpayers.

What I would ask my colleagues to do is to stick with the motion offered by the gentleman from Indiana [Mr. MYERS] on his motion to instruct and to resist those efforts that are going to be put forth on this floor to eliminate this project. I think it has good scientific value. From a budgetary viewpoint, it should be brought forward to conclusion.

Mr. SHARP. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New Hampshire [Mr. SWETT].

Mr. SWETT. Mr. Speaker, I rise today to urge Members to stand firmly behind the House position to terminate the Advanced Liquid Metal Reactor. That means defeat the previous question. We have a massive Federal deficit, and we have got to eliminate unnecessary Government spending. The Advanced Liquid Metal Reactor is precisely the kind of program we should be putting a stop to.

Breeder reactors are simply not cost effective. It is unlikely that ALMR's could compete with light-water reactors for 40 to 60 years, if ever. By then, current ALMR technology would be obsolete. Meanwhile, taxpayers are being asked to foot the bill for billions more in ALMR funding. Terminating the ALMR now would save at least 2.9 billion dollars.

We should not be spending our research dollars on new nuclear reactors. We should be spending the limited amount that we do have on energy efficiency and conservation, and alternate and renewable energy.

Federal research on the ALMR is a dangerous and costly boondoggle that we should stop immediately. The Clinton administration has determined that the ALMR no longer deserves Federal funding. Congress should come to the same conclusion.

One of the problems with this institution, as everyone knows, is that we never seem to be able to kill programs once they get started. This has got to stop. It is time to get serious about stopping unnecessary science programs, improving deficit reduction, and stopping wasteful spending wherever we find it. Let us shut down the ALMR before it demands billions more taxpayer dollars.



I urge my colleagues to defeat the previous question and to stand firm behind the House and administration position to terminate funding for the Advanced Liquid Metal Reactor.

Mr. MYERS of Indiana. Mr. Speaker, I yield 4 minutes to the gentleman from Idaho [Mr. CRAPO].

Mr. CRAPO. Mr. Speaker, I think it is important that we clarify some of the issues brought up here.

One of the key issues that has been brought up is this reactor is a reactor that will generate more proliferation, notwithstanding the studies at Oak Ridge and Lawrence Livermore that say this technology reduces the risk of proliferation. It does not address the fact either that we have 250 tons of weapons-grade plutonium in this world right now, and this reactor can consume that very kind of weapons-grade plutonium.

They talk about studies and say a lot of studies have shown this reactor is not going to be able to solve the proliferation problems. But, frankly, you can get the answers from studies by the questions you ask, and those studies that they quote say that the short-term answers, in the short term, that this reactor has not proven out, because the research has not been finished. That is obvious.

What do the same scientists say about the long term? This very Congress asked the National Academy of Sciences to study all nuclear options and to tell them which nuclear options we should focus on for our future, and that same study that has been quoted here says on page 12, "The committee believes the liquid metal reactor should have the highest priority for long-term nuclear technology development." We are not fighting here over what to do in the short term. We are fighting over whether this country should keep involved in nuclear testing and in nuclear research and development or whether we should shift out of it.

Everybody in this Congress has received a letter from the heads of nuclear programs at universities across this country pleading with us to save this technology and to keep this research alive.

Secretary O'Leary in testimony before the Committee on Energy and Commerce this year acknowledged that this is not a battle over money, it is a battle over a shift in priorities in this administration away from nuclear research into wind and solar and other renewable research.

The question here is whether we should keep nuclear research alive. I have in my hands another report, the report of the U.S. utility industry on advanced reactor corporation, and this study concludes that given the administration's recent decision to recommend termination of funding for some advanced reactor designs, and

that is the liquid metal reactor, "We believe that an updated report providing utilities perspective is timely and critical." Going on, it says they believe there is no future funding for nuclear research of any meaningful sense beyond 1998 if this decision to terminate this reactor is made.

Mr. Speaker, there has been a lot of talk about cost. They say that it will cost \$2.7 billion or \$2.3 billion in the future if we keep this project going. The only way that those costs would be incurred is if the technology proves out, and society and this Congress make the policy decision to build the reactor. That is a decision for a future time.

What we are fighting over right now is whether to go ahead and finish the research or terminate the research in a way that actually saves more money, to finish it. And, by the way, if we do make that policy decision in the future, then there is going to be electrical generation that will pay for that two-point-whatever billion dollars which is not even being brought into consideration in this debate.

There have been a lot of editorials that talked about it. I have a stack of editorials myself. The Washington Post, after the one that has been referred to, published a followup that says, "The right reactor after all."

□ 1740

Business Week, "A big science cut that could drown us in nuclear waste." Chicago Tribune, "Don't foreclose this nuclear option." Christian Science Monitor, "Keep funds for nuclear research." The list goes on.

Mr. Speaker, we are facing a decision today as to whether we will have any long-term nuclear research dollars left in our budget. This is a shortsighted decision if this country makes the decision to eliminate the ability of the United States to continue being the leader in nuclear research.

We must support and vote for the previous question.

Mr. BEVILL. Mr. Speaker, I yield 3 minutes to the distinguished chairman of the Committee on Public Works and Transportation, the gentleman from California [Mr. MINETA].

Mr. MINETA. Mr. Speaker, I rise today in support of the Advanced Liquid Metal Reactor Program and to urge my colleagues to vote for the previous question.

Mr. Speaker, countries around the world recognize the important role nuclear power must play in the production of clean, safe, economical and abundant electricity. These countries continue to look to America for leadership in nuclear power technology.

Global markets for United States industry are rapidly opening up in countries such as Japan, Taiwan, Korea, and Indonesia. The nuclear powerplant market potential in the Pacific rim nations during the next 15 years is esti-

mated to be over \$175 billion. This represents well over 100,000 U.S. jobs.

Mr. Speaker, a strong U.S. nuclear industry can and must be a major contributor to the world's need for clean, safe, and low-cost electricity.

As a nation we have invested more than \$700 million on research and development of the ALMR concept. It simply makes no sense to abandon the work that has been done just when our efforts are ready to bear fruit.

I urge my colleagues to continue funding for the Advanced Liquid Metal Reactor Program and to vote for the previous question.

Mr. MYERS of Indiana. Mr. Speaker, I am going to use the 4 minutes I have remaining in order to close. I reserve the balance of my time.

The SPEAKER pro tempore (Mr. HASTINGS). The gentleman from Indiana [Mr. MYERS] has the right to close.

Mr. SHARP. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Ohio [Mr. FINGERHUT].

Mr. FINGERHUT. I thank the gentleman for yielding this time to me.

Mr. Speaker, I simply want to rise in support of the efforts of my colleagues who are seeking to defeat the previous question in order to offer a motion to instruct with respect to killing the ALMR. I am not sure, frankly, why it is that we are debating the merits of this project again. It seems to me clear we had a debate on this question before in the House, and the verdict of this House was clear.

The question now before us is whether or not we ought to maintain our position in the conference committee with the Senate. There are plenty of spending priority debates that we have disagreements on in this House. Sometimes we are split almost evenly down the middle on whether or not a project is worth funding. But in this case, the split is not close, the House is overwhelmingly in support of the motion to kill this project. So the debate today is simply whether or not we should stand our ground. In my opinion, Mr. Speaker, we should stand our ground, defeat the previous question and we should ask that the final provision kill this bill.

Mr. SHARP. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona [Mr. COPPERSMITH].

Mr. COPPERSMITH. I thank the gentleman from Indiana for yielding this time to me.

At this point I think we on the opponents' side of this project wish to respond to a couple of points that have been raised.

First of all, the Department of Energy did a thorough analysis of the cost of termination as opposed to continuing the program.

DOE analysis is that the savings for termination are about \$28 million. The numbers on the other side, assuming keeping the program going saves

money, assumes a Japanese contribution of \$60 million. However, there is no contract from the Japanese, there is nothing in writing. And the \$60 million from the Japanese, as indicated, would only come through if the United States commits to build a \$3 billion demonstration reactor.

My colleague from Idaho mentioned there would be revenues from electrical generation. However, I am not sure he would agree that the U.S. Government should be in the business of selling electric power on that scale.

Second, there is a strawman argument—or a straw person argument, these days—that voting against this program means you are against nuclear power. That is absolutely not correct. I represent part of the service area of Arizona Public Service, which is one of the foremost, I believe, nuclear investor-owned utilities in this country. In this House, in this Congress, we are funding at least four other advanced light-water reactors. Those programs have support from industry, they have commercial feasibility. Voting against one program for which there is no commercial interest, for which the numbers simply do not add up, is in no way opposing the nuclear option; it is making good and valid distinction this House has been able to make before.

Too many times in politics you approach science as a black box, assume the scientists are split, then let us decide on the politics: What district is the project located in? What committee is it on? Who do I owe a favor to? We can make the principal and valid distinction here between which science programs are good and which are good enough.

Mr. BEVILL. Mr. Speaker, I yield 2 minutes to the gentleman from Utah [Mr. HANSEN].

Mr. HANSEN. I thank the gentleman for yielding this time to me.

Mr. Speaker, I oppose any motion that would instruct the House conferees to insist on the House position on terminating the integral fast reactor project. First of all, when this bill was put together by the House, there was no House position as such, there was no budget for termination, simply a placeholder from the Department of Energy. Since that time, the DOE has submitted an amended appropriations request, for an additional \$33.2 million. So when this issue was brought before the House last month, we did not really know what we were dealing with.

And what we are dealing with is simply this. The DOE has said that at least \$104.7 million would be required for fiscal year 1995 to terminate the Advanced Liquid Metal Reactor/IRF Program immediately and to tell the Japanese Government and the American utility industry that we do not want their money.

The Senate, which had the benefit of seeing this proposal in total, rejected

it, preferring instead to accept the cost-sharing, complete the research and shut the project down in an orderly way. Their funding proposal to accomplish this in fiscal year 1995 is \$98.8 million, \$5.9 million less than would be required for immediate shutdown. I say, let us join them. It is not often that we get a chance to complete a project and save money at the same time.

I would like to add in closing that the cost sharing for the ALMR/IRF Program comes from organizations who believe in the long-term potential of this technology. These organizations are putting their money where their mouth is, and we should listen to their endorsement and complete the research with the phased shutdown as called for in the Senate version of this bill.

Mr. Speaker, I hope that my colleagues will oppose the motion which the gentlemen from Arizona and others propose. We cannot afford their proposal, and it is wrong on the merits.

Mr. BEVILL. Mr. Speaker, I support the motion offered by the gentleman from Indiana [Mr. MYERS] and urge the Members to vote "yes" on the motion.

Mr. Speaker, I yield back the balance of my time.

Mr. SHARP. Mr. Speaker, I yield 1½ minutes to the distinguished gentleman from Massachusetts [Mr. MARKEY].

□ 1750

Mr. MARKEY. Mr. Speaker, I rise today to urge my colleagues to defeat the previous question and vote to terminate the Advanced Liquid Metal Reactor Program. The House has already voted three times to terminate the ALMR. This program is expensive, dangerous, and simply bad policy.

The ALMR is bad fiscal policy. The Clinch River breeder reactor started off with a price tag of \$700 million and wound up costing \$8 billion in taxpayers' money—which was all lost. Even in the most optimistic estimates, the ALMR is at least 20 years and countless billions from completion.

Second, this is bad energy policy. There has not been a new nuclear powerplant ordered in the United States—which has been constructed—for many years. But at the same time, the electric utility industry is saying that the breeder reactor program might be a good idea. If they feel that this is such a good idea, then they should fund it, not the taxpayers of our country.

Most importantly, Mr. Speaker, the breeder reactor program is bad national security policy. This is a proposed proliferation solution that in reality is creating a new problem. Last year, at my urging, the Department of Energy released a secret report on the ALMR program. This report, which had previously been kept classified, revealed that in fact, the unsolved problems with this technology include safe-

guards, plant inspectability, and material accountability for the purposes of verification. This means that this program would be creating a plutonium economy across the planet, which is even more dangerous than ever in today's international environment.

And even if this reactor could be used to dispose of plutonium stockpiles, dozens of these reactors would have to operate for hundreds of years in order to consume all of the plutonium in all of the nuclear weapons in the Soviet Union or the United States, if that was the ALMR's purpose. We are talking dozens of reactors for hundreds of years.

But we have no way of guaranteeing that the plutonium would not be diverted into nuclear weapons programs in countries that do not already have them. This program's safeguards simply do not work.

Nuclear proliferation is perhaps the single greatest potential risk to global peace and security today. There is no need to subsidize this risk with taxpayers' money.

Again, this House has overwhelmingly supported the ALMR's termination. Now it is time for us to follow through. Vote to defeat the previous question.

Mr. SHARP. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I urge my colleagues to vote "no" on the previous question so we can instruct the conferees to do, as the House has done on four occasions already, to vote to terminate the advanced liquid metal reactor. Mr. Speaker, this is not about whether my colleagues are for or against nuclear power. Nuclear power, as we know it in the United States, is fundamentally based on the uranium light water reactor. We are going forward with that reactor with advanced designs, I support that. Many of the people that are voting with us are supporting this. I say, "This is not whether you're for or against nuclear power. This is whether we ought to go on to a high-cost, high-risk plutonium kind of nuclear power that is closer to the nuclear bomb."

Mr. Speaker, we have some studies of this specific project, of the various technologies engaged, and increasingly over the years they have come to the conclusion this is not the smart place to put our money.

First, the proponents of this program often argue: "Use it as a way to dispose of the nuclear waste that we are looking for a place to put today, that is produced out of our light water reactors."

My colleagues, this is not the technology to accomplish this goal. The studies of the Department of Energy indicate that we end up with more, more volume of nuclear waste, to be gotten rid of, and it is highly radioactive, and it will take just as long, if not longer, than the current wastes we



have to deal with. This is not a way to dispose of the nuclear waste that we have now to take care of in our country for years and years to come.

Second of all, the argument is made that we should use this kind of technology to burn up the bomb grade weapons material that is now in the Soviet arsenal and in the United States arsenal because we know we must get rid of that.

But, my colleagues, before this technology could even be ready, it will be decades, and then, to complete that activity, it will be decades and billions and billions of dollars later. We have to take actions on that now, and again the studies are showing that there are several faster and cheaper options that are available to us right now, so that we can begin in this country to get rid of that material.

So, Mr. Speaker, let us not take the high-cost option. Let us not buy into something that is a hundred years away.

Mr. Speaker, in addition to the question is really whether we want to move on to this other plutonium cycle when we have technology that is more efficient and more cheap, if it really works the way the proponents want it to, to produce plutonium which puts us at risk that North Korea, Qadhafi, or somebody else can turn into bombs.

Now that is part of what this argument is about. This costs unnecessary money. It will not solve the nuclear waste problem. It gets us to a plutonium policy, if we really want to go that direction, which I doubt that this country will ever agree to go anyway.

Now, my colleagues, the Department of Energy, the Office of Management and Budget, agree that, if we will vote to terminate this program now, we will save money. It will not cost us more money. So, this is a matter of saving money; this is a matter of stopping an unnecessary project. This is not about whether my colleagues are for or against nuclear power.

My colleagues, vote no on the previous question so that we can amend the motion and get directly to the issue itself.

Mr. MYERS of Indiana. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, there has been a lot of discussion here this afternoon, some factual, a lot nonfactual. The issue today is: If you vote no on the previous question and defeat the previous question, you're taking \$11.4 million out of the research for our children's future energy needs.

Mr. Speaker, my instructions are to put that \$11.4 million in high-energy physics, to look for new energy for our children's and grandchildren's future, so my colleagues would first be taking away that \$11.4 million, spend it on something else, but not on needed research.

Second, Mr. Speaker, this is not an issue of whether we are terminating or

not. Both the Senate version, which I think is the right way to go, and the House version terminate this program. But if my colleagues follow the House version, we get absolutely nothing for the investment we have already made and for the termination costs that it will take. To the contrary, the House version would cost more money. I think everyone is agreed to that, but there has been thrown out this idea that, if we went the full route with the IFR, and built all the prototypes, it would get up around a couple billion dollars.

The gentleman from Massachusetts [Mr. MARKEY] talked about Clinch River costing \$8 billion wasted. Now I do not know who spent the \$8 million, but I have been on that committee for a good many years. We had \$1.7 billion in Clinch River at the time it was terminated by Mr. Carter and Congress. We had \$300 million termination costs. That is \$2 billion the way I add it up to it. But anyway it was foolish to do that. We had absolutely done nothing for Clinch River except a lot of scar where it was going to be built, so it is not talking about termination, terminating both ways to go, what do we get for the money we have invested, and, if we go ahead and finish the way the Senate has suggested, we save dollars to the American taxpayers, and the National Taxpayers Union, I have never seen an appropriation they did like in the first place, and they are just wrong on this issue. They have not added it up and do not know what they are going to get for the dollars.

I say to my colleagues, you get nothing, if you follow their instructions. They're right, and it's not a matter of nuclear proliferation.

Russia, France, and Japan are continuing this actinide research with or without us. Discussion about the—up to \$60 million that Japan was going to put into it. I have a letter dated June 17 this year from the president of the Power Reactor Nuclear Fuel Development Corp. out of Tokyo. The president says, he states in the letter, that the only reason they withdrew their \$60 million is because the Department of Energy has withdrawn its support for this. But the president goes on:

Meanwhile we are starting in our own to carry out R&D in the field of actinide recycling.

So, Japan is going to go ahead without us. We will not have the advantage of the research.

The last paragraph of the president's letter:

We remain interested in working with the Department of Energy in this field, although its recent actions don't provide a stable, credible basis on which to proceed at this point. If Congress were to restore the program for the next fiscal year, we would consider our option about participating in a joint program.

Mr. Speaker, I say to my colleagues, if you're interested in saving the Amer-

ican taxpayers what we have already invested in providing for the needed energy, meaning for the research and the future of our Nation, you will vote for the previous question, and don't go down this route that we have gone down so many times. When we get close to finding out something, we destroy it, so please vote for the previous question.

Mr. HASTERT. Mr. Speaker, I stand in favor of Mr. MYERS' motion to instruct the conferees to support the House position on funding for the Department of Energy's high-energy physics program. The United States has long dominated the field of high-energy physics, primarily due to the diligent research efforts of our top scientists working to make new discoveries about the fundamental makeup of the universe.

For example, Fermi National Laboratory, which is located in my district, is the premier laboratory for high-energy physics in the United States. In fact, Fermilab is home to the largest and most powerful particle accelerator in the world. Scientists at Fermilab have dedicated themselves to investigating the nature of matter and pioneering ways to approach the challenges our country faces in the fields of medical research, manufacturing technology, and educational enhancement.

Recently, physicists at Fermilab found evidence of the top quark, a subatomic particle that is the last undiscovered quark of the six predicted by current scientific theory. Scientists worldwide have sought experimental evidence for the top quark since the discovery of the bottom quark at Fermilab in 1977.

In short, if the United States is to meet the technological challenges of the 21st century, and improve U.S. global, industrial competitiveness, Congress should promote, not discourage, research and development in high-energy physics. Indeed, it is imperative that we fund these laboratories at a level that will allow us to remain among the world leaders in high-energy physics.

Mr. MYERS' motion is a step in the right direction. I urge my colleagues to support the gentleman's motion.

Mr. MYERS of Indiana. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the motion to instruct.

The SPEAKER pro tempore (Mr. HASTINGS). The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. MYERS of Indiana. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 171, nays 209, not voting 54, as follows:

[Roll No. 366]

## YEAS—171

Andrews (TX)	Fields (TX)	Molinari
Applegate	Fowler	Mollohan
Archer	Franks (CT)	Montgomery
Army	Franks (NJ)	Moorhead
Bacchus (FL)	Gallegly	Murphy
Bacchus (AL)	Gekas	Myers
Baker (CA)	Geren	Ortiz
Ballenger	Gibbons	Oxley
Barcia	Gingrich	Packard
Barrett (NE)	Gonzalez	Parker
Bartlett	Gooding	Pastor
Barton	Goss	Peterson (FL)
Bateman	Gunderson	Pickett
Bereuter	Gutierrez	Pombo
Bevill	Hancock	Porter
Bilbray	Hansen	Quillen
Bilirakis	Hastert	Rahall
Blackwell	Hayes	Rangel
Bliley	Herger	Roberts
Boehner	Hilliard	Rogers
Bonilla	Hochbrueckner	Rohrabacher
Boucher	Horn	Rostenkowski
Brooks	Houghton	Rowland
Browder	Hoyer	Rush
Brown (CA)	Huffington	Sangmeister
Brown (FL)	Hutchinson	Saxton
Bryant	Hutto	Schaefer
Burton	Hyde	Schiff
Buyer	Inlee	Shaw
Callahan	Johnson (CT)	Shuster
Calvert	Johnson, E. B.	Skeen
Camp	Johnson, Sam	Smith (IA)
Canady	Kasich	Smith (OR)
Chapman	Kim	Smith (TX)
Clement	Kolbe	Solomon
Clinger	Kopetski	Spence
Combest	Kyl	Stump
Cox	LaRocco	Sundquist
Cramer	Leach	Swift
Crane	Lewis (CA)	Taylor (MS)
Crapo	Lewis (FL)	Taylor (NC)
Cunningham	Lewis (KY)	Tejeda
Darden	Lightfoot	Thomas (CA)
DeLay	Lipinski	Thornton
Dickey	Livingston	Torres
Dixon	Lloyd	Torricelli
Doolittle	Lucas	Tucker
Dornan	Manzullo	Vucanovich
Dreier	Mazzoli	Walker
Dunn	McCollum	Walsh
Durbin	McCrery	Weldon
Ehlers	McDade	Wilson
Emerson	McKeon	Wise
Everett	Meek	Wolf
Ewing	Mica	Yates
Fawell	Michel	Young (AK)
Fazio	Mineta	Young (FL)

## NAYS—209

Abercrombie	Dellums	Hamilton
Allard	Derrick	Harman
Andrews (ME)	Deutsch	Hastings
Andrews (NJ)	Diaz-Balart	Hefley
Baesler	Dicks	Hefner
Barca	Dooley	Hinchey
Barlow	Duncan	Hoagland
Barrett (WI)	Edwards (CA)	Hobson
Bellenson	Edwards (TX)	Hoekstra
Bentley	Engel	Hoke
Berman	English	Holden
Bishop	Eshoo	Hughes
Blute	Evans	Inglis
Bonior	Farr	Jacobs
Borski	Fields (LA)	Johnson (GA)
Brewster	Filner	Johnson (SD)
Brown (OH)	Fingerhut	Johnston
Bunning	Flake	Kanjorski
Byrne	Ford (MI)	Kaptur
Cantwell	Frank (MA)	Kennedy
Cardin	Furse	Kennelly
Castle	Gejdenson	Kildee
Clayton	Gephardt	King
Coble	Gilchrest	Kingston
Collins (GA)	Gillmor	Kiecicka
Cooper	Gillman	Klein
Coppersmith	Goodlatte	Klink
Costello	Gordon	Klug
Coyne	Grandy	Kreidler
Danner	Green	LaFalce
de la Garza	Greenwood	Lambert
Deal	Hall (OH)	Lancaster
DeLauro	Hall (TX)	Lantos

Lazio	Oberstar	Shepherd
Lehman	Obey	Sisk
Levin	Olver	Skaggs
Levy	Orton	Slaughter
Lewis (GA)	Pallone	Smith (NJ)
Linder	Paxon	Snowe
Long	Payne (NJ)	Spratt
Lowey	Payne (VA)	Stark
Maloney	Pelosi	Stearns
Manton	Penny	Stenholm
Margolies-	Petri	Stokes
Mezvinsky	Pomeroy	Strickland
Markey	Poshard	Studds
Martinez	Price (NC)	Swett
Matsui	Pryce (OH)	Synar
McCandless	Quinn	Talent
McCloskey	Ramstad	Tanner
McCurdy	Ravenel	Tauzin
McDermott	Reed	Thurman
McHale	Regula	Torkildsen
McHugh	Richardson	Towns
McInnis	Roemer	Trafigant
McKinney	Ros-Lehtinen	Unsoeld
McNulty	Roth	Upton
Meehan	Roukema	Valentine
Menendez	Roybal-Allard	Velazquez
Meyers	Royce	Vento
Mfume	Sabo	Visclosky
Miller (CA)	Sarpalius	Volkmeyer
Miller (FL)	Sawyer	Waters
Minge	Schenk	Watt
Mink	Schumer	Waxman
Moakley	Scott	Williams
Moran	Sensenbrenner	Woolsey
Morella	Serrano	Wyden
Neal (NC)	Sharp	Wynn
Nussle	Shays	Zimmer

## NOT VOTING—54

Ackerman	Gallo	Pickle
Baker (LA)	Glickman	Portman
Becerra	Grams	Reynolds
Boehert	Hamburg	Ridge
Carr	Hunter	Rose
Clay	Inhofe	Sanders
Clyburn	Istook	Santorum
Coleman	Jefferson	Schroeder
Collins (IL)	Knollenberg	Skelton
Collins (MI)	Laughlin	Slattery
Condit	Machtley	Smith (MI)
Conyers	Mann	Stupak
DeFazio	McMillan	Thomas (WY)
Dingell	Murtha	Thompson
Fish	Nadler	Washington
Foglietta	Neal (MA)	Wheat
Ford (TN)	Owens	Whitten
Frost	Peterson (MN)	Zeliff

□ 1823

The Clerk announced the following pairs:

On this vote:

Mrs. Collins of Illinois for, with Mr. Sanders against.

Mr. Grams for, with Mr. Jefferson against.

Mr. FIELDS of Louisiana, Mr. FLAKE, Ms. MCKINNEY, and Messrs. HEFLEY, STOKES, COLLINS of Georgia, BONIOR, and COYNE changed their vote from "yea" to "nay."

Messrs. BLACKWELL, EWING, and WISE, Ms. MOLINARI, and Mr. BILBRAY changed their vote from "nay" to "yea."

So the previous question was not ordered.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. SHARP TO THE MOTION TO INSTRUCT OFFERED BY MR. MYERS OF INDIANA

Mr. SHARP. Mr. Speaker, I offer an amendment to the motion to instruct.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. SHARP to the motion to instruct offered by Mr. MYERS of

Indiana: Insert before the period at the end of the following: and to insist upon the provisions contained in the House bill that provide funds for the Advanced Liquid Metal Reactor, the Integral Fast Reactor, and the Actinide Recycle Program only for purposes of program termination

The SPEAKER pro tempore. The gentleman from Indiana [Mr. SHARP] is recognized.

Mr. SHARP. Mr. Speaker, let me clarify for Members of the House, we do not plan to take any more time on the debate of the issue. We had an hour debate on this. The distinguished chairman of the committee and the ranking minority member agrees that we will not further debate the issue this evening, but proceed to the vote.

Mr. Speaker, this is the motion to instruct that the House stay with its position to terminate the advanced liquid metal reactor that it adopted in the regular order of business.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the amendment and on the motion to instruct.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Indiana [Mr. SHARP] to the motion to instruct offered by the gentleman from Indiana [Mr. MYERS].

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SHARP. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. All those in favor of taking the vote by the yeas and nays will rise and remain standing.

Mr. SHARP. Mr. Speaker, I withdraw my demand for the yeas and nays.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Indiana [Mr. MYERS], as amended.

The motion to instruct as amended was agreed to.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Messrs. BEVILL, FAZIO, CHAPMAN, PETERSON of Florida, and PASTOR, Mrs. MEEK of Florida, and Messrs. OBEY, MYERS of Indiana, GALLO, ROGERS, and MCDADE.

There was no objection.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HASTINGS). Pursuant to clause 5 of rule I, the Chair will now put the question on each motion to suspend the rules on which further proceedings were postponed earlier today, in the order in which that motion was entertained.

Votes will be taken in the following order:

H.R. 4448, by the yeas and nays; and H.R. 4158, by the yeas and nays.



The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

#### AMENDING THE ACT ESTABLISHING LOWELL NATIONAL HISTORICAL PARK

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 4448, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota [Mr. VENTO] that the House suspend the rules and pass the bill, H.R. 4448, as amended, on which the yeas and nays are ordered.

Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device may be taken on the next motion to suspend the rules on which the Chair has postponed further proceedings.

The vote was taken by electronic device, and there were—yeas 221, nays 160, not voting 53, as follows:

[Roll No. 367]

YEAS—221

Abercrombie	English	Lambert
Andrews (ME)	Eshoo	Lancaster
Andrews (TX)	Evans	Lantos
Applegate	Farr	LaRocco
Bacchus (FL)	Fazio	Lehman
Baessler	Fields (LA)	Levin
Barca	Filner	Lewis (CA)
Barcia	Fingerhut	Lewis (GA)
Barlow	Flake	Lipinski
Barrett (WI)	Ford (MI)	Lloyd
Bellenson	Frank (MA)	Lowe
Berman	Franks (NJ)	Maloney
Bevill	Furse	Manton
Bilbray	Gedden	Margolies-
Bishop	Gephardt	Mezvisky
Blackwell	Geren	Markey
Blute	Gibbons	Martinez
Boniior	Gilman	Matsui
Borski	Gonzalez	Mazzoli
Boucher	Gordon	McCluskey
Brewster	Green	McCrery
Brooks	Gutierrez	McCurdy
Browder	Hall (OH)	McDade
Brown (CA)	Hamilton	McDermott
Brown (FL)	Hastings	McHale
Brown (OH)	Hayes	McKinney
Bryant	Hefner	McNulty
Byrne	Hilliard	Meehan
Cantwell	Hinchey	Meek
Cardin	Hoagland	Menendez
Chapman	Hochbrueckner	Miller (CA)
Clayton	Holden	Minge
Clement	Houghton	Mink
Clyburn	Hoyer	Moakley
Condit	Hughes	Mollohan
Coppersmith	Hutto	Montgomery
Coyne	Inslee	Morella
Danner	Johnson (GA)	Murphy
Darden	Johnson (SD)	Oberstar
de la Garza	Johnson, E.B.	Obey
Deal	Johnston	Oliver
DeLauro	Kanjorski	Ortiz
Dellums	Kaptur	Orton
Derrick	Kennedy	Pallone
Deutsch	Kennelly	Parker
Dicks	Kildee	Pastor
Dixon	Kleczka	Payne (NJ)
Dooley	Klein	Payne (VA)
Durbin	Klink	Pelosi
Edwards (CA)	Kopetski	Penny
Edwards (TX)	Kreidler	Peterson (FL)
Engel	LaFalce	Pickett

Pomeroy	Shepherd	Torres
Price (NC)	Sisisky	Torricelli
Quinn	Skaggs	Towns
Rahall	Slaughter	Trafficant
Rangel	Smith (IA)	Tucker
Ravenel	Smith (NJ)	Unsoeld
Reed	Spratt	Valentine
Richardson	Stark	Velazquez
Roemer	Stenholm	Vento
Rostenkowski	Stokes	Visclosky
Rowland	Strickland	Volkmer
Roybal-Allard	Studds	Waters
Sabo	Stupak	Watt
Sangmeister	Swett	Waxman
Sarpallus	Swift	Williams
Sawyer	Synar	Wilson
Schenk	Tauzin	Wise
Schroeder	Taylor (MS)	Woolsey
Schumer	Tejeda	Wyden
Scott	Thornton	Wynn
Serrano	Thurman	Yates
Sharp	Torkildsen	Zeliff

NAYS—160

Allard	Gillmor	Molinar
Andrews (NJ)	Gingrich	Moorhead
Archer	Goodlatte	Moran
Armey	Goodling	Myers
Bachus (AL)	Goss	Neal (NC)
Baker (CA)	Grandy	Nussle
Ballenger	Greenwood	Packard
Barrett (NE)	Gunderson	Paxon
Bartlett	Hall (TX)	Petri
Barton	Hancock	Pombo
Bateman	Hansen	Porter
Bentley	Hastert	Poshard
Bereuter	Hefley	Pryce (OH)
Billirakis	Herger	Quillen
Bliley	Hobson	Ramstad
Boehner	Hoekstra	Regula
Bonilla	Hoke	Roberts
Bunning	Horn	Rogers
Burton	Huffington	Rohrabacher
Buyer	Hutchinson	Ros-Lehtinen
Callahan	Hyde	Roth
Calvert	Inglis	Roukema
Camp	Jacobs	Royce
Canady	Johnson (CT)	Saxton
Castle	Johnson, Sam	Schaefer
Clinger	Kasich	Schiff
Coble	Kim	Sensenbrenner
Collins (GA)	King	Shaw
Combest	Kingston	Shays
Cooper	Klug	Shuster
Costello	Kolbe	Skeen
Cox	Kyl	Smith (OR)
Cramer	Lazio	Smith (TX)
Crane	Leach	Snowe
Crapo	Levy	Solomon
Cunningham	Lewis (FL)	Spence
Diaz-Balart	Lewis (KY)	Stearns
Dickey	Lightfoot	Stump
Doolittle	Linder	Sundquist
Dornan	Livingston	Talent
Dreier	Long	Tanner
Duncan	Lucas	Taylor (NC)
Dunn	Manzullo	Thomas (CA)
Ehlers	McCandless	Upton
Emerson	McCollum	Vucanovich
Everett	McHugh	Walker
Ewing	McInnis	Walsh
Fawell	McKeon	Weidon
Fields (TX)	Meyers	Wolf
Fowler	Mfume	Young (AK)
Franks (CT)	Mica	Young (FL)
Galgely	Michel	Zimmer
Gekas	Miller (FL)	
Gilchrist	Mineta	

NOT VOTING—53

Ackerman	Ford (TN)	McMillan
Baker (LA)	Frost	Murtha
Becerra	Gallo	Nadler
Boehler	Glickman	Neal (MA)
Carr	Grams	Owens
Clay	Hamburg	Oxley
Coleman	Harman	Peterson (MN)
Collins (IL)	Hunter	Pickle
Collins (MI)	Inhofe	Portman
Conyers	Istook	Reynolds
DeFazio	Jefferson	Ridge
DeLay	Knollenberg	Rose
Dingell	Laughlin	Rush
Fish	Machtley	Sanders
Foglietta	Mann	Santorum

Skelton	Thomas (WY)	Wheat
Slattery	Thompson	Whitten
Smith (MI)	Washington	

□ 1846

The Clerk announced the following pair:

On this vote:

Mrs. Collins of Illinois and Mr. Jefferson for, with Mr. Grams against.

Mr. MFUME changed his vote from "yea" to "nay."

Mr. VOLKMER changed his vote from "nay" to "yea."

So (two-thirds not having voted in favor thereof) the motion was rejected.

The result of the vote was announced as above recorded.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4003, MARITIME ADMINISTRATION AUTHORIZATION ACT FOR FISCAL YEAR 1995

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 103-646) on the resolution (H. Res. 500) providing for consideration of the bill (H.R. 4003) to authorize appropriations for fiscal year 1995 for certain maritime programs of the Department of Transportation, to amend the Merchant Marine Act, 1936, as amended, to revitalize the U.S.-flag merchant marine, and for other purposes, which was referred to the House Calendar and ordered to be printed.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF S. 1357, LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS AND LITTLE RIVER BAND OF OTTAWA INDIANS ACT

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 103-647) on the resolution (H. Res. 501) providing for consideration of the bill (S. 1357) to reaffirm and clarify the Federal relationships of the Little Traverse Bay Bands of Odawa Indians and the Little River Band of Ottawa Indians as distinct federally recognized Indian tribes, and for other purposes, which was referred to the House Calendar and ordered to be printed.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF S. 1066, RESTORING FEDERAL SERVICES TO THE POKAGON BAND OF POTAWATOMI INDIANS

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 103-648) on the resolution (H. Res. 502) providing for consideration of the bill (S. 1066) to restore Federal services to the Pokagon Band of Potawatomi Indians, which was referred to the House Calendar and ordered to be printed.

# LOWER EAST SIDE TENEMENT NATIONAL HISTORIC SITE ACT OF 1994

The SPEAKER pro tempore (Mr. HASTINGS). The pending business is the question of suspending the rules and passing the bill, H.R. 4158, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota [Mr. VENTO] that the House suspend the rules and pass the bill, H.R. 4158, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 154, nays 226, not voting 54, as follows:

[Roll No. 368]

YEAS—154

Abercrombie	Green	Pastor
Andrews (ME)	Gutierrez	Payne (NJ)
Andrews (TX)	Hastings	Pelosi
Applegate	Hefner	Rahall
Bacchus (FL)	Hilliard	Rangel
Barlow	Hinchey	Reed
Bellenson	Hoagland	Richardson
Berman	Hochbrueckner	Ros-Lehtinen
Bilbray	Houghton	Rostenkowski
Bishop	Hoyer	Rowland
Blackwell	Johnson (GA)	Roybal-Allard
Bonior	Johnson (SD)	Rush
Borski	Johnson, E. B.	Sabo
Brooks	Johnston	Sanders
Brown (CA)	Kanjorski	Sawyer
Brown (FL)	Kaptur	Schenk
Brown (OH)	Kennedy	Schroeder
Byrne	Kennelly	Schumer
Cantwell	Klecicka	Scott
Cardin	Klein	Serrano
Clayton	Klink	Sharp
Clement	Kopetski	Shepherd
Clyburn	Kreidler	Skaggs
Coppersmith	Lancaster	Slaughter
Coyne	Lantos	Smith (IA)
Danner	LaRocco	Stark
Darden	Levin	Stokes
de la Garza	Lewis (GA)	Strickland
DeLauro	Lowe	Studds
Dellums	Maloney	Swift
Deutsch	Manton	Synar
Diaz-Balart	Markey	Tejeda
Dicks	Martinez	Thornton
Dixon	McDermott	Torkildsen
Durbin	McKinney	Torres
Edwards (CA)	McNulty	Towns
Engel	Meehan	Trafficant
English	Meek	Tucker
Eshoo	Menendez	Unsoeld
Evans	Mfume	Velazquez
Farr	Miller (CA)	Vento
Fazio	Mineta	Visclosky
Flelds (LA)	Mink	Waters
Flitner	Moakley	Watt
Flake	Molinar	Waxman
Ford (MI)	Mollohan	Wise
Frank (MA)	Murphy	Woolsey
Furse	Neal (NC)	Wyden
Gejdenson	Oberstar	Wynn
Gephardt	Olver	Yates
Gilman	Ortiz	
Gonzalez	Pallone	

NAYS—226

Allard	Barton	Bryant
Andrews (NJ)	Bateman	Bunning
Archer	Bentley	Burton
Armey	Bereuter	Buyer
Bacchus (AL)	Bevill	Callahan
Baessler	Blirakis	Calvert
Baker (CA)	Bliley	Camp
Ballenger	Blute	Canady
Barca	Boehner	Castle
Barclay	Bonilla	Chapman
Barrett (NE)	Boucher	Clinger
Barrett (WI)	Brewster	Coble
Bartlett	Browder	Collins (GA)

Combest	Inglis	Pombo
Condit	Inslee	Pomeroy
Cooper	Jacobs	Porter
Costello	Johnson (CT)	Poshard
Cox	Johnson, Sam	Price (NC)
Cramer	Kasich	Pryce (OH)
Crane	Kildee	Quillen
Crapo	Kim	Quinn
Cunningham	King	Ramstad
Deal	Kingston	Ravenel
DeLay	Klug	Regula
Derrick	Kolbe	Roberts
Dickey	Kyl	Roemer
Dooley	LaFalce	Rogers
Doolittle	Lambert	Rohrabacher
Dornan	Lazio	Roth
Dreier	Leach	Roukema
Duncan	Lehman	Royce
Dunn	Levy	Sangmeister
Edwards (TX)	Lewis (CA)	Sarpallus
Ehlers	Lewis (FL)	Saxton
Emerson	Lewis (KY)	Schaefer
Everett	Lightfoot	Schiff
Ewing	Linder	Sensenbrenner
Fawell	Lipinski	Shaw
Fields (TX)	Livingston	Shays
Fingerhut	Lloyd	Shuster
Fowler	Long	Sistisky
Franks (CT)	Lucas	Skeen
Franks (NJ)	Manzullo	Smith (NJ)
Galleghy	Margolies	Smith (OR)
Gekas	Mezvisinsky	Smith (TX)
Geren	Mazzoli	Snowe
Gibbons	McCandless	Spence
Gilchrest	McCollum	Spratt
Gillmor	McCrery	Stearns
Gingrich	McCurdy	Stenholm
Goodlatte	McDade	Stump
Goodling	McHale	Stupak
Gordon	McHugh	Sundquist
Goss	McInnis	Swett
Grandy	McKeon	Talent
Greenwood	Meyers	Tanner
Gunderson	Mica	Tauzin
Hall (OH)	Michel	Taylor (MS)
Hall (TX)	Miller (FL)	Taylor (NC)
Hamilton	Minge	Thomas (CA)
Hancock	Montgomery	Thurman
Hansen	Moorhead	Torricelli
Hastert	Moran	Upton
Hayes	Morella	Valentine
Hefley	Myers	Volkmer
Herger	Nussle	Vucanovich
Hobson	Obey	Walker
Hoekstra	Orton	Walsh
Hoke	Packard	Weldon
Holden	Parker	Wilson
Horn	Paxon	Wolf
Huffington	Payne (VA)	Young (AK)
Hughes	Penny	Young (FL)
Hutchinson	Peterson (FL)	Zeliff
Hutto	Petri	Zimmer
Hyde	Pickett	

NOT VOTING—54

Ackerman	Grams	Oxley
Baker (LA)	Hamburg	Peterson (MN)
Becerra	Harman	Pickle
Boehert	Hunter	Portman
Carr	Inhofe	Reynolds
Clay	Istook	Ridge
Coleman	Jefferson	Rose
Collins (IL)	Knollenberg	Santorum
Collins (MI)	Laughlin	Skelton
Conyers	Machtley	Slattery
DeFazio	Mann	Smith (MI)
Dingell	Matsui	Solomon
Fish	McCloskey	Thomas (WY)
Foglietta	McMillan	Thompson
Ford (TN)	Murtha	Washington
Frost	Nadler	Wheat
Gallo	Neal (MA)	Whitten
Glickman	Owens	Williams

□ 1859

The Clerk announced the following pair:

On this vote:

Mrs. Collins of Illinois and Mr. Jefferson for, with Mr. Thomas of Wyoming against.

So (two-thirds not having voted in favor thereof) the motion was rejected.

The result of the vote was announced as above recorded.

## PERSONAL EXPLANATION

Mr. SMITH of Michigan. Mr. Speaker, I was unable to make afternoon votes because of delays at the airport. Had I voted, I would have voted "nay" on rollcall No. 366, a motion ordering the previous question on the conference report for military construction appropriations; "nay" on rollcall No. 367, the bill amending the Lowell National Historical Park Act; and "nay" on rollcall No. 368, the bill establishing the Lower East Side Tenement Museum National Historical Site.

## PERSONAL EXPLANATION

Mr. PORTMAN. Mr. Speaker, because of mechanical problems, my airline flight into Washington, DC, was canceled. As a result, I missed three votes. Had I been in attendance, I would have voted "no" on each of rollcall votes numbered 366, 367, and 368.

## GENERAL LEAVE

Mr. COPPERSMITH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 4506, just considered.

The SPEAKER pro tempore (Mr. HASTINGS). Is there objection to the request of the gentleman from Arizona?

There was no objection.

□ 1900

## SPECIAL ORDERS

The SPEAKER pro tempore (Mr. MCDERMOTT). Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, and under a previous order of the House, the following Members are recognized for 5 minutes each.

## SHOULD UNITED STATES INVADE HAITI? NO

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. Goss] is recognized for 5 minutes.

Mr. GOSS. Mr. Speaker, this weekend we all read that quite an event occurred in New York. The U.N. Security Council has for the first time given its blessing for armed intervention in the Western Hemisphere.

I would point out that the target of this armed intervention is Haiti, a friendly neighboring country of ours. I do not think we want to take a great deal of pleasure in that particular happening at the United Nations, but I think it is extraordinary the amount of energies that have been put into acquiring that U.N. approval.

They have really strained at it; promised all kinds of things; suggested all kinds of rewards; good things would



happen for countries that supported our position and, perhaps, bad things for countries that would not.

But, you know, the Clinton administration has not spent much time up here talking to the Members of the U.S. Congress about this. Here we are talking about a warlike action or a wartime action in the Western Hemisphere, right off the boundaries of the United States of America, involving American troops, and we have not had any consultation with the Representatives of the people of this country. Here in this, the mightiest of the legislative, deliberative, policymaking bodies in the world, we sit.

What is our official position? In fact, it is silence. We have no official position in this body on the subject of an invasion of Haiti involving United States forces.

We have actually had two votes. One called for asking the President to check with us before he went through any considerations about an invasion, to see what justification there could be to do that.

Then we had a vote to rescind that.

So our official position is nothing; absolutely no word; nothing but silence.

Last week I asked where do we fit into this picture? it turns out that some of our colleagues, Mr. SKAGGS, Mr. BOEHLERT, Mr. DURBIN, sent a letter down to the White House that has many signatures, dozens of Members' signatures on it. It hit such a chord with Members of Congress that they represent the letter with even more signatures asking the White House, please don't invade Haiti. Come and talk to us if there are reasons you think you need to do that, but confer with this deliberative body.

I have also filed a resolution that says it should be the sense of Congress, before the President does anything in Haiti involving our armed services, that he should come and discuss it with the United States Congress. After all, we all are accountable to the people we work for, the voters of this country, our constituents, for not only the well-being of their pocketbooks but for the well-being of their youngsters who serve in our Armed Forces. We need to be accountable. We need to know exactly what is going on, and why we are putting our troops in harm's way in an invasion of a country where there is virtually no threat to the continental United States.

I do not think anybody believes there is a national security threat from Haiti to our country.

Going around our hemispheric allies and talking to them, apparently only Argentina and the Aristide government, the duly elected president of Haiti, now exiled here in the United States, supported our position in New York at the United Nations. Mexico's foreign minister made a statement

that his country, and I quote, "rejects the use of force except in cases of a threat to peace, its violation or acts of aggression." Haiti does not fall into any of those categories. This is Mexico, our trading partner, our NAFTA partner, our North American Free-Trade Agreement business associate, saying, "Bad idea, don't do it; no justification for it."

Brazil abstained from the Security Council vote.

Uruguay's ambassador said his country "will not support any military intervention in the brotherly republic of Haiti, whether multilateral or unilateral." Those are fairly strong words.

So the characterization that somehow the allies that we have, our neighbors and friends in the Western Hemisphere, applaud this decision of the United Nations and are encouraging the United States of America to take on this invasion of Haiti is clearly misleading and on the wrong track. That is just not the case.

I would point out that while we are talking about this, the costs are mounting for what we are already doing. We are spending millions and millions of dollars now just keeping those 15 warships and those ready-to-attack Marines down there on alert. And we are spending many other dollars as well elsewhere in the world.

I think, as everybody knows after reading the headlines this weekend, we have a heat-up going on in Bosnia again. There is some talk about toughening the position there, possible use of troops of some type there or supplies. We have a commitment of 3,000 soldiers in a relief operation in Rwanda. I am not quite sure what that means or what the rules of this engagement will be. We have just passed the second year of cuts in a 5-year plan to reduce the defense budget by \$156 billion. We are beginning to run out of resources to do the things we need to do. Fortunately, there are no serious threats in front of us.

On top of that, we have the misery index of people suffering from the sanctions in Haiti. This whole policy is out of control. We need to rethink it. We hope the President will come here and let us help him rethink it.

#### IN OPPOSITION TO THE PROCEDURE FOR CONSIDERATION OF THE CRIME BILL: DON'T JUDGE A BOOK BY ITS COVER

THE SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. MANZULLO] is recognized for 5 minutes.

Mr. MANZULLO. Mr. Speaker, I am part of the freshman reform class of 1992. I was elected to help reform Congress and change the way things are done around here.

One of the most frustrating things I find around here is not knowing what I

am voting on. It is not because I am not interested. In fact, I am extremely interested. And, that is the problem. For Members who want to know what they are voting on, this is a very frustrating place.

In the next 2 weeks, we will vote on at least two historic changes to our laws. On Wednesday, the House Democrat leadership has promised a vote on the crime bill. Next week, the leadership has also promised a vote on the House majority leader's version of health care reform. Yet, to this date, I have not received a copy of either bill. The House of Representatives will act on the top issues in the minds of most Americans, yet most Members who were elected to serve here have no idea on what they are voting on.

The rules of the House must be changed. On page 708 of the Rules of the House of Representatives, rule 28 paragraph 2(a) states:

It shall not be in order to consider the report of a committee of conference until the third calendar day (excluding any Saturday, Sunday or legal holiday) after such report and the accompanying statement shall have been filed in the House . . . Nor shall it be in order to consider any conference report unless copies of the report and accompanying statement have been available to Members for at least two hours before the beginning of such consideration.

In other words, the rules of the House only guarantees Members that they can have 2 hours to review a conference report before voting on final passage. And, even that tiny requirement can be waived if the Rules Committee waives the rules of the House.

That means, Mr. Speaker, that Members will have little time to review these huge documents. I have heard that the crime bill is over 1,200 pages long. How can Members even read that document in 2 hours? You would have to be a graduate of the Evelyn Woods speed reading course.

Mr. Speaker, I believe it is imperative that Members have adequate time to review bills before voting on them. It will save the House further embarrassment when the media discovers mistakes in the fine print of these bills.

I am only reporting from summaries of the crime bill and what I've discovered already shocks me.

For example, I have learned that the money for hiring more cops on the beat is so tied up with Federal requirements that some cities may not apply for them. For example, States would have to comply with expensive and intrusive minority hiring preferences to receive money under this bill. There is no change to the Justice Department criteria on awarding grants, which places a greater emphasis on how well the grant application was written than on the crime rate. Plus, the funding for these new police will expire at the end of 5 years, leaving States and cities holding the bag.

Also, the tough truth in sentencing provisions that I cosponsored and voted for were watered down in conference. If we help States build prisons, the least we can ask is that criminals sent to these prisons serve 85 percent of their sentence. What did they do in conference? Sixty percent of the prison funds in this bill are not conditioned on any truth-in-sentencing requirements. If a State wishes to participate in these prison construction grants, all they have to do is wait 1 year to get unrestricted funds.

But the real bad news for the taxpayer and those who want a tough crime bill is spending \$9 billion on social programs masquerading as crime prevention. Yes, crime prevention is an important component of fighting crime. But this crime bill labels almost everything as crime prevention that it makes a mockery of the concept. This is a resurrection of the failed pork-laden economic stimulus package from last year.

For example, the Federal Government will now determine the composition of midnight sport leagues. They must have at least 80 participants. This bill would mandate that at least 50 percent of those who play in these leagues must be residents of public housing. There also has to be representation from communities with a high incidence of persons infected with the HIV virus. Since when does the Federal Government have the authority to order how basketball leagues are formed?

This bill will spend \$100 million on a new Government entity, the Interagency Ounce of Prevention Council, for such projects as arts and crafts and dance programs.

The crime bill also incorporates another bill that was originally introduced as an economic stimulus package. The crime bill will spend \$1.8 billion on the Local Partnership Act, which contains no references to fighting crime. To magically change one part of the bill at the last minute for the purpose of preventing crime when it is really aimed at just spending money as fast as possible in depressed areas of the country is not right.

Do not judge a book by its cover. I want to read it. Mr. Speaker, please give us all the same opportunity to know what we are voting on.

□ 1910

#### WE MUST STAND WITH THE LONE MAN BEFORE THE TANK

The SPEAKER pro tempore (Mr. McDERMOTT). Under a previous order of the House, the gentlewoman from California [Ms. PELOSI] is recognized for 5 minutes.

Ms. PELOSI. Mr. Speaker, I rise today to inform my colleagues about legislation, H.R. 4590 introduced by the

gentleman from Missouri [Mr. GEPHARDT], the House majority leader, the gentleman from Michigan [Mr. BONIOR], the House majority whip, and over a hundred Members of the House, Democrats and Republicans, including the gentleman from New York [Mr. GILMAN] and the gentleman from Virginia [Mr. WOLF] among many others on the Republican side. This bill would revoke most-favored-nation status for products made by China's People's Liberation Army and certain other state-owned enterprises. Our approach is a focused compromise which gets to the heart of Congress' concerns about proliferation, trade and human rights.

Why target the Chinese military? Each year, American consumers unknowingly subsidize China's military modernization by purchasing hundreds of millions of dollars worth of consumer products made by companies which are fronts for China's People's Liberation Army [PLA]. The products made by these PLA companies, including AK-47 assault rifles to pharmaceuticals to stuffed toy animals, enter the U.S. market under preferential most-favored-nation tariffs.

Mr. Speaker, this is the same Chinese military that ran over its own students with tanks, the same military that brutally occupies Tibet, and the same Chinese military that proliferates weapons of mass destruction.

The Defense Intelligence Agency [DIA] has produced a chart, DIA VP-1020-271-90, identifying the relationships among import and export organizations in China's defense industrial complex. The DIA says that these PLA front companies are a "key to supporting the uniformed services and China's industrial base and to acquiring military and dual-use technology. They market products and earn foreign currency to support defense-related research, development, and operations."

The huge profits and hard currency earned through these sales are bankrolling the massive modernization and expansion of China's military and the proliferation of weapons of mass destruction to rogue regimes.

Of particular concern:

During a week of meetings in early June the entire Chinese military hierarchy turned out to greet their North Korean counterparts declaring the two countries "as close as lips and teeth." (Christian Science Monitor)

According to Seoul's largest newspaper, these meetings produced a pledge of 85,000 Chinese troops to the defense of North Korea in the event of war and credit assistance to Pyongyang for food and energy in case of U.N. sanctions. (Choson Ilbo, Seoul)

If Defense Intelligence Agency analysts are correct, the Chinese military has aided the development of North Korea's new TD-2 missile by transferring advanced missile technology to North Korea. (Wall Street Journal)

China's military companies have sold billions of dollars worth of ballistic missiles to the Middle East and, in the words of CIA Director Woolsey, China is "Iran's principal nuclear supplier." (Congressional Research Service)

Chinese military companies have sold nuclear and missile technology to Pakistan, including bomb designs and enough weapons-grade uranium for two weapons. (Congressional Research Service)

Cambodian Government sources say that, according to their intelligence services, in March, a new shipment of Chinese weapons worth \$18 million was received by the Khmer Rouge, (led by Pol Pot) in violation of the Paris accord on Cambodia that was coauthored and signed by Beijing. (Far Eastern Economic Review)

Alone among the nations of the world, China's military is still testing nuclear weapons, including the detonation of a nuclear weapon 5-10 times the power of the Hiroshima blast on June 10, just 2 weeks after President Clinton's decision to renew MFN unconditionally. (Washington Post)

As I mentioned earlier, China, alone among the declared nuclear powers, is massively increasing its defense spending—by 20 percent this year alone. (Wall Street Journal)

China has purchased billions of dollars worth of highly sophisticated Russian military equipment including SU-27 air superiority fighters and the latest main battle tank, the T80-U. (International Defense Review)

By continuing to provide preferential most-favored-nation treatment for these PLA exports, American consumers are in effect subsidizing China's program of guns to butter to guns. We believe that this should end. American consumers should not subsidize the Chinese Army with preferential trade treatment. Instead we must stand with the lone man before the tank.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. KNOLLENBERG (at the request of Mr. MICHEL), for today, on account of official business.

Mr. DEFAZIO (at the request of Mr. GEPHARDT), for today, on account of illness in the family.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. GOSS) to revise and extend their remarks and include extraneous material:)

Mr. BURTON of Indiana, for 5 minutes, on August 3, 4, and 5.

Mr. GOSS, for 5 minutes, today and August 2, 3, 4, and 5.



Mr. MANZULLO, for 5 minutes, today.  
Ms. ROS-LEHTINEN, for 5 minutes, on August 3.

Mr. DIAZ-BALART, for 5 minutes, on August 3.

(The following Members (at the request of Mr. COPPERSMITH) to revise and extend their remarks and include extraneous material:)

Ms. NORTON, for 5 minutes, today.

Ms. PELOSI, for 5 minutes, today.

Mr. OWENS, for 5 minutes, today.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. GOSS) and to include extraneous matter:)

Mr. SOLOMON.

Ms. MOLINARI.

Mr. STUMP.

Mr. MYERS of Indiana.

Mr. GILMAN in three instances.

Mr. PACKARD.

Mr. ZELIFF.

(The following Members (at the request of Mr. COPPERSMITH) and to include extraneous matter:)

Ms. WOOLSEY.

Ms. PELOSI.

Mr. SCHUMER.

Ms. KAPTUR.

Mr. ENGEL.

Ms. NORTON.

Mr. TORRES.

Mr. MANTON.

Mr. SLATTERY.

Mr. HOYER.

#### ADJOURNMENT

Ms. PELOSI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 19 minutes p.m.), under its previous order, the House adjourned until Tuesday, August 2, 1994, at 10:30 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3601. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving United States exports to Russia, pursuant to 12 U.S.C. 635(b)(3)(4); to the Committee on Banking, Finance and Urban Affairs.

3602. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10-303, "District of Columbia Solid Waste Management and Multi-Material Recycling Act of 1988 Amendment Act of 1994," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

3603. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10-304, "Professional Li-

cense Fee Amendment Act of 1994," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

3604. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10-305, "Trinity Religious Temple Church Equitable Real Property Tax Relief Act of 1994," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

3605. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10-306, "Carolina Missionary Baptist Church Equitable Real Property Tax Relief Act of 1994," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

3606. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10-307, "Christ Church Washington Parish Episcopal Church Equitable Real Property Tax Relief Act of 1994," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

3607. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10-308, "Saints Constantine and Helen Greek Orthodox Church Equitable Real Property Tax Relief Act of 1994," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

3608. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10-309, "Michigan Park Christian Church Equitable Real Property Tax Relief Act of 1994," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

3609. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10-310, "Old Pentecostal Church Temple of Truth Equitable Real Property Tax Relief Act of 1994," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

3610. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10-312, "Roadway, Alley and Sidewalk Improvement Act of 1994," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

3611. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10-313, "First Church of Christ Scientist Equitable Real Property Tax Relief Act of 1994," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

3612. A letter from the Director, Defense Security Assistance Agency, transmitting notification of the Department of the Air Force's proposed Letter(s) of Offer and Acceptance [LOA] to the Coordination Council for North America Affairs (Transmittal No. 94-43), pursuant to 22 U.S.C. 2776(b); to the Committee on Foreign Affairs.

3613. A letter from the Defense Security Assistance Agency, transmitting notification of the Department of the Air Force's proposed Letter(s) of Offer and Acceptance [LOA] to Turkey for defense articles and services (Transmittal No. 94-33), pursuant to 22 U.S.C. 2776(b); to the Committee on Foreign Affairs.

3614. A letter from the Director, Defense Security Assistance Agency, transmitting notification of the Department of the Navy's proposed Letter(s) of Offer and Acceptance [LAO] to Turkey for defense articles and services (Transmittal No. 94-30), pursuant to 22 U.S.C. 2776(b); to the Committee on Foreign Affairs.

3615. A letter from the Director, Defense Security Assistance Agency, transmitting

notification of the Department of the Navy's proposed Letter(s) of Offer and Acceptance [LAO] to Turkey for defense articles and services (Transmittal No. 94-31), pursuant to 22 U.S.C. 2776(b); to the Committee on Foreign Affairs.

3616. A communication from the President of the United States transmitting notification of the expansion of capabilities at the Kigali airport to support the UNHCR relief operation more effectively (H. Doc. No. 103-288); to the Committee on Foreign Affairs and ordered to be printed.

3617. A letter from the Acting Director, Office of Management and Budget transmitting a report by OMB for pay-as-you-go calculations for Public Law No. 103-283 (H.R. 4454), pursuant to Public Law 101-508; section 1310(a) (104 Stat. 1388-582); to the Committee on Government Operations.

3618. A letter from the Acting Director, Office of Management and Budget, transmitting a report by OMB for pay-as-you-go calculations for Public Law No. 103-281 (S. 1402), pursuant to Public Law 101-508; section 1310(a) (104 Stat. 1388-582); to the Committee on Government Operations.

3619. A letter from the Comptroller General, General Accounting Office, transmitting the list of all reports issued or released in June 1994, pursuant to 31 U.S.C. 719(h); to the Committee on Government Operations.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. OBEY: Committee of Conference. Conference report on H.R. 4426. A bill making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1995 (Rept. 103-633). Ordered to be printed.

Mr. MINETA: Committee on Public Works and Transportation. H.R. 4812. A bill to direct the Administrative of General Services to acquire by transfer the Old U.S. Mint in San Francisco, CA, and for other purposes (Rept. 103-634). Referred to the Committee of the Whole House on the State of the Union.

Mr. MINETA: Committee on Public Works and Transportation. H.R. 3110. A bill to designate the U.S. courthouse and Federal building to be constructed at the southeastern corner of Liberty and South Virginia Streets in Reno, NV, as the "Bruce R. Thompson United States Courthouse and Federal Building" (Rept. 103-635). Referred to the House Calendar.

Mr. MINETA: Committee on Public Works and Transportation. H.R. 4543. A bill to designate the U.S. courthouse to be constructed at 907 Richland Street in Columbia, SC, as the "Matthew J. Perry, Jr. United States Courthouse" (Rept. 103-636). Referred to the House Calendar.

Mr. MINETA: Committee on Public Works and Transportation. H.R. 4790. A bill to designate the U.S. courthouse under construction in St. Louis, MO, as the "Thomas F. Eagleton United States Courthouse" (Rept. 103-637). Referred to the House Calendar.

Mr. MINETA: Committee on Public Works and Transportation. H.R. 4727. A bill to designate the Federal building located at 125 Market Street in Youngstown, OH, as the "Thomas D. Lambros Federal Building" (Rept. 103-638). Referred to the House Calendar.

Mr. MINETA: Committee on Public Works and Transportation. H.R. 4772. A bill to designate the Federal building and U.S. courthouse located at 215 South Evans Street in Greenville, NC, as the "Walter B. Jones Federal Building and United States Courthouse" (Rept. 103-639). Referred to the House Calendar.

Mr. GIBBONS: Committee on Ways and Means. H.R. 4590. A bill to provide conditions for renewing nondiscriminatory (most-favored-nation) treatment for the People's Republic of China; with an amendment (Rept. 103-640, Pt. 1). Ordered to be printed.

Mr. MILLER of California: Committee on Natural Resources. H.R. 4448. A bill to amend the Act establishing Lowell National Historical Park, and for other purposes; with an amendment (Rept. 103-641). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLER of California: Committee on Natural Resources. H.R. 4158. A bill to establish the Lower East Side Tenement Museum National Historic Site; with amendments (Rept. 103-642). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLER of California: Committee on Natural Resources. H.R. 3898. A bill to establish the New Bedford Whaling National Historical Park in New Bedford, MA, and for other purposes; with an amendment (Rept. 103-643). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLER of California: Committee on Natural Resources. H.R. 1690. A bill to authorize certain elements of the Yakima River Basin Water Enhancement Project, and for other purposes; with an amendment (Rept. 103-644). Referred to the Committee of the Whole House on the State of the Union.

Mr. CONYERS: Committee on Government Operations. Criminal Aliens: A Federal Responsibility and A State and Local Burden (Rept. 103-645). Referred to the Committee of the Whole House on the State of the Union.

Mr. MOAKLEY: Committee on Rules. House Resolution 500. Resolution providing for consideration of the bill (H.R. 4003) to authorize appropriations for fiscal year 1995 for certain maritime programs of the Department of Transportation, to amend the Merchant Marine Act, 1936, as amended, to revitalize the U.S.-flag merchant marine, and for other purposes (Rept. 103-646). Referred to the House Calendar.

Mr. HALL of Ohio: Committee on Rules. House Resolution 501. Resolution providing for consideration of the bill (S. 1357) to reaffirm and clarify the Federal relationships of the Little Traverse Bay Bands of Odawa Indians and the Little River Band of Ottawa Indians as distinct federally recognized Indian tribes, and for other purposes (Rept. 103-647). Referred to the House Calendar.

Mr. HALL of Ohio: Committee on Rules. House Resolution 502. Resolution providing for consideration of the bill (S. 1066) to restore Federal services to the Pokagon Band of Potawatomi Indians (Rept. 103-648). Referred to the House Calendar.

Mr. DE LA GARZA: Committee on Agriculture. H.R. 4217. A bill to reform the Federal Crop Insurance Program, and for other purposes; with an amendment (Rept. 103-649). Referred to the Committee of the Whole House on the State of the Union.

#### SUBSEQUENT ACTION ON A REPORTED BILL SEQUENTIALLY REFERRED

Under clause 5 of rule X the following action was taken by the Speaker:

The Committee of the Whole House on the State of the Union discharged, and referred H.R. 3433 to the Committee on Ways and Means for a period ending not later than August 9, 1994 for consideration of such provisions of the bill and the amendment recommended by the Committee on Natural Resources as fall within the jurisdiction of the Committee on Ways and Means pursuant to clause 1(v), rule X.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. WAXMAN (for himself and Mr. DINGELL):

H.R. 4864. A bill to amend the Federal Food, Drug, and Cosmetic Act to authorize a device application fee, and for other purposes; to the Committee on Energy and Commerce.

By Mr. WAXMAN (for himself and Mr. STUDDS):

H.R. 4865. A bill to amend the Federal Food, Drug, and Cosmetic Act, the Public Health Service Act, and the Orphan Drug Act to revise the provisions of such Acts relating to orphan drugs; to the Committee on Energy and Commerce.

By Mr. SHARP (for himself and Mr. MOORHEAD):

H.R. 4866. A bill to encourage solar, wind, waste, and geothermal power production by permanently removing the size limitations contained in the Public Utility Policies Act of 1978; to the Committee on Energy and Commerce.

By Ms. SCHENK (for herself, Mr. SWIFT, and Mr. DINGELL):

H.R. 4867. A bill to authorize appropriations for high-speed rail transportation, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SWIFT (for himself and Mr. OXLEY):

H.R. 4868. A bill to amend the Railroad Unemployment Insurance Act to reduce the waiting period for benefits payable under that act, and for other purposes; to the Committee on Energy and Commerce. Mr. DE LUGO (for himself, Mr. HUGHES, Mr. RICHARDSON, Mr. TORRES, Mr. SERRANO, Mr. PASTOR, Mr. BECERRA, Mr. MARTINEZ, Mr. MAZZOLI, Ms. VELAZQUEZ, Mr. TEJEDA, Mr. ORTIZ, Mr. GUTIERREZ, Mr. UNDERWOOD, and Ms. ROYBAL-ALLARD):

H.R. 4869. A bill to amend the Revised Organic Act of the Virgin Islands to provide for the appointment of a U.S. marshal by the President; to the Committee on Natural Resources.

By Ms. ENGLISH of Arizona:

H.R. 4870. A bill to amend the San Carlos Apache Tribe Water Rights Settlement Act of 1992 to extend the deadline for completing certain actions described therein; to the Committee on Natural Resources.

By Mr. HEFLEY:

H.R. 4871. A bill to provide for the study of certain prehistoric resources in the States of Colorado, Wyoming, and Utah; to the Committee on Natural Resources.

By Mr. McHALE:

H.R. 4872. A bill to develop a program regarding career opportunities by making such information available on publicly accessible networks and other electronic media; to the Committee on Education and Labor.

H.R. 4873. A bill to provide authority to executive departments and agencies to issue

rulings respecting application of laws under their jurisdiction; to the Committee on the Judiciary.

H.R. 4874. A bill to amend the White House Conference on Small Business Authorization Act to require the final report of the national conference to be published in the Federal Register and distributed through the regional offices of the Small Business Administration; to the Committee on Small Business.

H.R. 4875. A bill to amend the Small Business Act to modify requirements relating to the personal net worth of individuals who may be considered economically disadvantaged for the purpose of receiving contract awards under section 8(a) of that act; to the Committee on Small Business.

By Mr. McHALE (for himself and Mr. McINNIS):

H.R. 4876. A bill to amend the Internal Revenue Code of 1986 to increase the exclusion for gain from certain small business stock to 100 percent for stock held for more than 10 years; to the Committee on Ways and Means.

By Mr. McHALE:

H.R. 4877. A bill to amend the Internal Revenue Code of 1986 to modify certain rules relating to subchapter S corporations; to the Committee on Ways and Means.

H.R. 4878. A bill to amend the Internal Revenue Code of 1986 to allow employers a credit against income tax for 20 percent of the employee training expenses paid or incurred by the employer; to the Committee on Ways and Means.

H.R. 4879. A bill to amend the Internal Revenue Code of 1986 to restore the 10 percent regular investment tax credit; to the Committee on Ways and Means.

H.R. 4880. A bill to amend the Internal Revenue Code of 1986 to permit the issuance of tax-exempt bonds for air and water pollution control facilities; to the Committee on Ways and Means.

H.R. 4881. A bill to amend the Internal Revenue Code of 1986 to disregard up to \$15,000,000 of capital expenditures in applying the provisions permitting a \$10,000,000 limit on qualified small issue bonds; to the Committee on Ways and Means.

By Mr. SWIFT:

H.R. 4882. A bill to amend the Toxic Substances Control Act to reduce the levels of lead in the environment, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ZIMMER:

H.R. 4883. A bill to deny Federal benefits for 10 years to persons convicted of making a fraudulent representation with respect to residence in order to receive benefits from two or more States, and for other purposes; to the Committee on Government Operations.

By Mr. CALLAHAN (for himself, Mr. STUMP, Mr. TRAFICANT, and Mr. EVERETT):

H.J. Res. 396. Joint resolution proposing an amendment to the Constitution of the United States to provide that no person born in the United States will be a U.S. citizen on account of birth in the United States unless a parent is a U.S. citizen at the time of the birth; to the Committee on the Judiciary.

By Mr. HAMILTON:

H. Res. 499. Resolution providing for the concurrence by the House with amendments in the amendments of the Senate to H.R. 4429; considered under suspension of the rules and agreed to.

By Mr. STUMP (for himself, Mr. SPENCE, Mr. SANGMEISTER, Mr. SMITH of New Jersey, Mr. BILIRAKIS, Ms.



BROWN of Florida, Mr. QUINN, Mr. BACHUS of Alabama, Mr. RANGEL, Mr. MACHTELY, Mr. SANTORUM and Mr. FALEOMAVAEGA):

H. Res. 503. Resolution expressing the sense of the House of Representatives that Congress, in providing funds for any fiscal year for programs to assist the homeless, should ensure that these funds are fairly apportioned for homeless veterans to help return homeless veterans to self-sufficient and productive lives; jointly, to the Committees on Banking, Finance and Urban Affairs and Veterans' Affairs.

#### ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 40: Ms. WATERS and Mr. FOGLIETTA.  
H.R. 112: Mr. COX.  
H.R. 122: Mr. COPPERSMITH, Mr. WYDEN, Mr. ROEMER, and Mr. SAXTON.  
H.R. 127: Ms. SLAUGHTER, Mr. PAYNE of New Jersey, Mr. TAYLOR of North Carolina, Mr. BARTON of Texas, Mr. MCCOLLUM, and Mr. HOCHBRUECKNER.  
H.R. 133: Mr. STEARNS, Ms. SCHENK, Mr. CANADY, Mr. COPPERSMITH, Mr. CALVERT, and Mr. KNOLLENBERG.  
H.R. 146: Mr. COMBEST, Mr. COX, and Mr. KNOLLENBERG.  
H.R. 147: Mr. COMBEST.  
H.R. 163: Mr. CALVERT.  
H.R. 173: Mr. SAXTON and Mr. COX.  
H.R. 391: Mr. COX and Mr. CALVERT.  
H.R. 429: Mr. CALVERT.  
H.R. 465: Mr. COMBEST and Mr. CALVERT.  
H.R. 502: Mr. COX and Mr. SAXTON.  
H.R. 657: Mr. CALVERT.  
H.R. 692: Mr. RUSH.  
H.R. 723: Mr. COMBEST and Mr. SAXTON.  
H.R. 814: Mr. CALVERT, Ms. SCHENK, and Mr. COPPERSMITH.  
H.R. 895: Mr. COMBEST.  
H.R. 896: Mr. COMBEST and Mr. SAXTON.  
H.R. 999: Mr. COMBEST and Mr. KNOLLENBERG.  
H.R. 1026: Mr. CALVERT.  
H.R. 1043: Mr. SAXTON, Mr. KNOLLENBERG, and Mr. DOOLITTLE.  
H.R. 1080: Mr. KNOLLENBERG and Mr. LIPINSKI.  
H.R. 1110: Mr. INHOFE.  
H.R. 1122: Mr. CALVERT.  
H.R. 1123: Mr. KNOLLENBERG.  
H.R. 1125: Mr. KNOLLENBERG.  
H.R. 1126: Mr. KNOLLENBERG.  
H.R. 1127: Mr. COX.  
H.R. 1130: Mr. CALVERT, Mr. KNOLLENBERG, and Mr. COX.  
H.R. 1171: Mr. FOGLIETTA.  
H.R. 1192: Mr. KNOLLENBERG.  
H.R. 1209: Mr. CALVERT.  
H.R. 1231: Mr. MARKEY and Mr. COPPERSMITH.  
H.R. 1293: Mr. SAXTON.  
H.R. 1392: Mr. COMBEST.  
H.R. 1481: Mr. DOOLITTLE.  
H.R. 1482: Mr. COX.  
H.R. 1483: Mr. COX.  
H.R. 1485: Mr. DOOLITTLE and Mr. COX.  
H.R. 1487: Mr. CANADY and Mr. SAXTON.  
H.R. 1505: Mr. CANADY and Mr. CALVERT.  
H.R. 1518: Mr. CANADY.  
H.R. 1552: Mr. SAXTON.  
H.R. 1604: Mr. SAXTON, Mr. DORNAN, and Mr. DOOLITTLE.  
H.R. 1605: Ms. SCHENK and Mr. COX.  
H.R. 1606: Mr. DORNAN.  
H.R. 1620: Mr. CANADY.  
H.R. 1622: Mr. CALVERT.

H.R. 1725: Mr. ROEMER.  
H.R. 1785: Mr. ZIMMER.  
H.R. 1852: Mr. DOOLITTLE.  
H.R. 1853: Mr. COX.  
H.R. 1854: Mr. COX.  
H.R. 1855: Mr. COX.  
H.R. 1857: Mr. COX and Mr. CALVERT.  
H.R. 1887: Mr. COX.  
H.R. 1900: Mr. JOHNSTON of Florida.  
H.R. 2038: Mr. COX.  
H.R. 2050: Mr. KNOLLENBERG.  
H.R. 2080: Mr. SKAGGS.  
H.R. 2145: Mrs. LOWEY and Mr. BROWN of Ohio.  
H.R. 2219: Mr. KNOLLENBERG.  
H.R. 2646: Mr. CANADY and Mr. COX.  
H.R. 2705: Mr. KNOLLENBERG.  
H.R. 2826: Mrs. MEYERS of Kansas.  
H.R. 2858: Mr. SAXTON and Mr. DORNAN.  
H.R. 2913: Mr. ZIMMER and Mrs. MEYERS of Kansas.  
H.R. 2959: Mr. HUFFINGTON, Mr. FAWELL, Mrs. FOWLER, and Mr. LIVINGSTON.  
H.R. 3060: Mr. COPPERSMITH.  
H.R. 3163: Mr. KNOLLENBERG.  
H.R. 3224: Mr. COPPERSMITH and Mr. FILNER.  
H.R. 3250: Mr. DORNAN and Mr. COX.  
H.R. 3440: Mr. COPPERSMITH and Mr. FILNER.  
H.R. 3442: Mr. KNOLLENBERG.  
H.R. 3457: Mr. KNOLLENBERG.  
H.R. 3464: Mr. KIM.  
H.R. 3488: Mr. CHAPMAN.  
H.R. 3513: Mr. SAXTON.  
H.R. 3520: Mrs. MEYERS of Kansas.  
H.R. 3560: Mr. DORNAN, Mr. COX, Mr. KNOLLENBERG, Mr. CALVERT, and Mr. SAXTON.  
H.R. 3594: Mr. CALVERT and Mr. COX.  
H.R. 3635: Mr. COX.  
H.R. 3692: Mr. ZIMMER and Mr. COX.  
H.R. 3716: Mr. COX.  
H.R. 3717: Mr. COX.  
H.R. 3772: Mr. DORNAN.  
H.R. 3773: Mr. COX.  
H.R. 3774: Mr. DORNAN, Mr. CALVERT, and Mr. COX.  
H.R. 3775: Mr. COX.  
H.R. 3777: Mr. DORNAN and Mr. COX.  
H.R. 3778: Mr. COX.  
H.R. 3779: Mr. CANADY and Mr. COX.  
H.R. 3780: Mr. DORNAN, Mr. CANADY, and Mr. COX.  
H.R. 3866: Mr. APPELGADE, Mr. FIELDS of Louisiana, Mr. GONZALEZ, and Mr. GUTIERREZ.  
H.R. 3926: Mr. COPPERSMITH.  
H.R. 3971: Mr. CANADY.  
H.R. 3978: Mr. DUNCAN and Mr. SKEEN.  
H.R. 3986: Mr. BARCA of Wisconsin.  
H.R. 4000: Mr. BUNNING, Mr. SHAYS, Mr. ZIMMER, Ms. ROS-LEHTINEN, Mr. CALVERT, Mr. RAVENEL, Mr. SCHAEFER, Mr. MACHTELY, Mr. LEWIS of Florida, Mr. ALLARD, and Mr. CRAPO.  
H.R. 4026: Mr. BOEHLERT, Mr. SWIFT, Mr. JEFFERSON, Ms. MCKINNEY, Mr. FOGLIETTA, Ms. WOOLSEY, Mr. BERMAN, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. GUTIERREZ.  
H.R. 4074: Mr. SMITH of New Jersey, Mr. LEACH, Mr. ACKERMAN, Mr. BURTON of Indiana, and Mr. TRAFICANT.  
H.R. 4118: Mr. CHAPMAN and Mrs. BYRNE.  
H.R. 4135: Mr. RUSH.  
H.R. 4162: Mr. FOGLIETTA.  
H.R. 4178: Mr. PORTMAN.  
H.R. 4210: Mr. SANTORUM, Mr. SCHUMER, Mr. WELDON, Mr. GREENWOOD, Mr. ZIMMER, Mr. ACKERMAN, Mr. MENENDEZ, Mr. FOGLIETTA, Mr. ANDREWS of New Jersey, Mr. QUINN, Mr. HUGHES, Mr. TOWNS, Mr. KLEIN, and Mr. GALLO.  
H.R. 4345: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BARRETT of Wisconsin, and Mr. MEEHAN.

H.R. 4371: Mr. STEARNS.  
H.R. 4386: Ms. PRYCE of Ohio.  
H.R. 4394: Mr. ANDREWS of New Jersey and Mr. KOPETSKI.  
H.R. 4407: Mr. ZIMMER.  
H.R. 4473: Mr. ZIMMER.  
H.R. 4514: Mr. SMITH of New Jersey, Mr. SAXTON, and Mr. TRAFICANT.  
H.R. 4565: Mr. BACCHUS of Florida and Mrs. LOWEY.  
H.R. 4585: Mr. RAVENEL and Mr. KLUG.  
H.R. 4610: Mr. DEFazio, Ms. SLAUGHTER, Mr. QUILLIN, Mr. FISH, Mr. SMITH of New Jersey, Mr. LEVY, Mr. PETERSON of Minnesota, Mr. CALLAHAN, Mr. FRANK of Massachusetts, Mr. LANCASTER, Ms. KAPTUR, Ms. ESHOO, Mr. BISHOP, and Mr. FOGLIETTA.  
H.R. 4618: Mr. McDERMOTT.  
H.R. 4669: Mr. McDERMOTT.  
H.R. 4695: Mr. FOGLIETTA.  
H.R. 4698: Mr. MEEHAN, Ms. ESHOO, and Mrs. UNSOELD.  
H.R. 4706: Mr. ZIMMER.  
H.R. 4737: Ms. ROYBAL-ALLARD and Mr. MINETA.  
H.R. 4739: Mr. FOGLIETTA.  
H.R. 4758: Mr. PAYNE of New Jersey.  
H.R. 4786: Mrs. ROUKEMA and Mrs. MEYERS of Kansas.  
H.R. 4787: Mr. FILNER.  
H.R. 4788: Mr. LEVY.  
H.R. 4817: Mr. CAMP and Mr. BOEHNER.  
H.R. 4822: Ms. ENGLISH of Arizona, Mr. BONILLA, Mr. SANDERS, Mr. BLUTE, and Ms. DUNN.  
H.R. 4826: Mr. KYL, Mr. EWING, and Mr. BARRETT of Wisconsin.  
H.R. 4830: Mr. CANADY, Mr. SHAYS, Mrs. MEYERS of Kansas, and Mrs. ROUKEMA.  
H.R. 4831: Mr. DORNAN, Mr. RAVENEL, and Mr. INHOFE.  
H.J. Res. 364: Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. BARCA of Wisconsin, Mr. BECERRA, Mr. BEILSON, Mr. BORSKI, Mr. BREWSTER, Mr. BROOKS, Mr. BROWN of California, Mr. BROWN of Ohio, Mr. CALVERT, Ms. CANTWELL, Mr. CARR, Mrs. CLAYTON, Mr. COLEMAN, Mr. CONDT, Mr. COOPER, Mr. COPPERSMITH, Mr. COSTELLO, Mr. CRAPO, Ms. DANNER, Mr. DEAL, Mr. DEFazio, Mr. DE LA GARZA, Ms. DELAUNO, Mr. DEUTSCH, Mr. DIAZ-BALART, Mr. DICKEY, Mr. DICKS, Mr. DINGELL, Mr. DOOLEY, Mr. DUNCAN, Ms. DUNN, Ms. ESHOO, Mr. EVANS, Mr. EWING, Mr. FARR, Mr. FAZIO, Mr. FIELDS of Louisiana, Mr. FILNER, Mr. FINGERHUT, Ms. FURSE, Mr. GEJDENSON, Mr. GIBBONS, Mr. GORDON, Mr. GENE GREEN of Texas, Mr. GUTIERREZ, Mr. HAMBURG, Mr. HASTINGS, Mr. HEFLEY, Mr. HILLIARD, Mr. HINCHEY, Mr. HOAGLAND, Mr. HORN, Mr. HOUGHTON, Mr. HOYER, Mr. HUNTER, Mr. HYDE, Mr. JOHNSON of Georgia, Ms. KAPTUR, Mr. KILDEE, Mr. KLEIN, Mr. KNOLLENBERG, Mr. KOLBE, Mr. KOPETSKI, Mr. KREIDLER, Mr. LAFALCE, Mr. LAROCO, Mr. LAZIO, Mr. LEACH, Mr. LEHMAN, Mr. LEVIN, Mr. LEWIS of California, Mr. LEWIS of Kentucky, Mrs. LOWEY, Mr. McCLOSKEY, Mr. MCCrERY, Mr. MCDADE, Mr. MCHALE, Mr. MACHTELY, Mr. MANN, Ms. MARGOLIES-MEZVINSKY, Mr. MARKEY, Mr. MARTINEZ, Mr. MATSUI, Mr. MAZZOLI, Mr. MENENDEZ, Mr. MINGE, Mrs. MINK of Hawaii, Mr. MOAKLEY, Ms. MOLINARI, Mr. MOORHEAD, Mr. MORAN, Mr. MYERS of Indiana, Mr. OLVER, Mr. ORTIZ, Mr. PASTOR, Ms. PELOSI, Mr. QUILLIN, Mr. QUINN, Mr. REED, Mr. ROSE, Mr. ROTH, Ms. ROYBAL-ALLARD, Mr. SANGMEISTER, Mr. SARPALUIS, Mr. SHARP, Mr. SMITH of Texas, Mr. SMITH of Iowa, Mr. SPRATT, Mr. STARK, Mr. STEARNS, Mr. STENHOLM, Mr. STUPAK, Mr. SUNDQUIST, Mr. SWETT, Mr. SWIFT, Mr. SYNAR, Mr. TAUZIN, Mrs. THURMAN, Mr. TORRES, Mr. TORRICELLI, Mr. TRAFICANT,

Mrs. UNSOELD, Mr. VENTO, Mr. VOLKMER, Mr. WAXMAN, Mr. WHEAT, Mr. WISE, and Mr. WYDEN.

H.J. Res. 381: Mr. DE LUGO, Mr. ACKERMAN, Mrs. BENTLEY, Mr. BLACKWELL, Mr. HOLDEN, Mr. KLEIN, Mr. LANTOS, Mr. DOOLITTLE, Mr. FLAKE, Mr. MARTINEZ, Mr. FAWELL, Mr. GREENWOOD, Mr. WYNN, and Mr. BACCHUS of Florida.

H.J. Res. 382: Mr. NEAL of Massachusetts, Mr. WYNN, and Mr. MONTGOMERY.

H.J. Res. 391: Mr. COOPER, Mr. GENE GREEN of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KREIDLER, Mr. McDERMOTT, Mr. MEEHAN, Mr. HASTINGS, Mr. BARRETT of Wisconsin, Mr. KASICH, Mr. FROST, Mr. UNDERWOOD, Mr. TORRES, Mr. LEACH, and Mr. SANGMEISTER.

H. Con. Res. 3: Mr. DUNCAN.

H. Con. Res. 90: Mr. COX and Mr. DOOLITTLE.

H. Con. Res. 271: Mr. HOLDEN, Mr. FRANKS of Connecticut, and Mr. GEKAS.

H. Res. 213: Mr. COX.

H. Res. 255: Ms. DUNN, Mr. HASTINGS, and Mr. FROST.

H. Res. 270: Mr. CRAPO.

H. Res. 424: Mr. RAMSTAD, Mr. HAYES, Mr. NUSSLE, Mr. PARKER, Mr. BAKER of Louisiana, Mr. GALLO, Mr. STENHOLM, Mr. GRANDY, Mr. PETE GEREN of Texas, Mrs. FOWLER, Mr. WELDON, Mr. GUNDERSON, Mr. TORKILDSEN, Mr. DUNCAN, Mr. SISISKY, Mr. GOODLATTE, Mr. SAM JOHNSON of Texas, Mr. JOHNSON of Georgia, Mr. DICKEY, Mr. LAUGHLIN, Mr. BURTON of Indiana, Mr. GILCHREST, Mr. PENNY, Mr. STUMP, Mr. COX, Mr. UPTON, Mr. KIM, Mr. COOPER, Mr. EHLERS, Mr. MONTGOMERY, Mr. TAYLOR of Mississippi, Mr. ORTON, Mr. KINGSTON, Mr. DARDEN, Mrs. MEYERS of Kansas, Mr. LANCASTER, Mr. BUYER, Mr. BAKER of California, Mr. HOEKSTRA, Mr. KING, Mr.

KNOLLENBERG, Mr. GOSS, Mr. BOEHNER, Mrs. VUCANOVICH, Mr. EWING, Mr. DORNAN, Mr. STEARNS, Mr. TALENT, Mr. LEWIS of Florida, Mr. INGLIS of South Carolina, Mr. CANADY, Mr. MCKEON, Mr. GRAMS, Mr. LEWIS of California, Mr. COLLINS of Georgia, Mr. MICA, Mr. PORTER, Mr. KLUG, Mr. BALENGER, Mr. FIELDS of Texas, Mr. BILIRAKIS, Mr. MOORHEAD, Mr. GOODLING, Mr. BLUTE, Mr. CRAMER, Mr. HALL of Texas, Mr. MCINNIS, Mr. PETERSON of Minnesota, Mr. SARPALIUS, Mr. COMBEST, Mr. SUNDQUIST, Mr. BREWSTER, Mr. BAESLER, Mr. LEVY, Mr. WILSON, and Mr. BE-REUTER.

H. Res. 430: Mr. DURBIN and Mrs. MEYERS of Kansas.

H. Res. 451: Mrs. BYRNE, Mr. GOSS, Mr. BACCHUS of Florida, and Ms. LOWEY.

H. Res. 485: Mr. LINDER, Mr. BLUTE, and Mr. BAKER of California.